

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, OCTOBER 26, 2010
COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
9:30 A.M.

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

Others present: Kerry Eagan, Chief Administrative Officer
Gwen Thorpe, Deputy Chief Administrative Officer
Brittany Behrens, Deputy County Attorney
Dan Nolte, County Clerk
Cori Beattie, Deputy County Clerk
Ann Taylor, 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, October 19, 2010.**

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

2) **CLAIMS: Approval of all claims processed through Tuesday, October 26, 2010.**

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

3) **PUBLIC HEARING:**

A. **A Class C liquor license application for Yankee Hill Country Club, 4200 San Mateo Lane, Lincoln, Lancaster County, Nebraska.**

The Chair opened the public hearing and asked if anyone would like to speak on this item. No one appeared. Stevens asked how much of the property is outside of the City's jurisdiction. Terry Wagner, Lancaster County Sheriff, appeared and was administered the oath. Wagner estimated that approximately half is outside the City limits. Stevens said it is his understanding that the clubhouse is within the City's jurisdiction. Wagner said that is correct. Schorr requested a map designating the City and County jurisdictions. Stevens noted a discrepancy between the application and the letter from the County Sheriff. He asked that the applicant take the letter into consideration and amend the application. The Chair said the public hearing will be held open for one week and asked that the applicant be present at that time to answer questions.

4) **NEW BUSINESS:**

- A. **Appointment of Brent D. Meyer to the position of Deputy Weed Control Superintendent, effective November 29, 2010, at an annual salary of \$57,000. Effective January 1, 2011, Mr. Meyer will be appointed to the position of Weed Control Superintendent at an annual salary of \$62,000 with a review six months after his appointment as the Weed Control Superintendent.**

In response to a question from the Chair, Kerry Eagan, Chief Administrative Officer, said Mr. Meyer has accepted the position.

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

Stevens said he believes Mr. Meyer is well qualified but said he objects to the salary.

Hudkins said Mr. Meyer has a high level of expertise in this area and said the salary amount was arrived at through negotiations.

Stevens also expressed concern regarding how fast the Board was moving to fill the position, stating he believes the Board should evaluate Meyer's performance.

John Austin, citizen, appeared and inquired about the status of the current Weed Control Superintendent.

The Chair explained that Russ Shultz, current Superintendent, plans to retire at the end of the year.

ROLL CALL: Schorr, Hudkins, Workman and Heier voted aye. Stevens voted nay. Motion carried 4-1.

- B. **A resolution fixing the date, time and place for a public hearing regarding a request to vacate a portion of West Waggoner Drive which abuts Lots 1, 2 and 3, Block 1, of said Waggoner Subdivision, generally located ¼ mile south of West O Street, Lancaster County, Nebraska. (Public hearing is scheduled for November 16, 2010.) (R-10-0092)**

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

- C. **An amendment to an agreement between A to Z Printing, the City of Lincoln, Lancaster County and the Lincoln-Lancaster County Public Building Commission, found at County Contract No. C-08-0386, for the annual requirements of offset printing and related services. The amendment provides for price increases pursuant to Attachment 1. (C-10-0540)**

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

4) **NEW BUSINESS CONTINUED:**

- D. **An amendment to an agreement between A to Z Printing, the City of Lincoln, Lancaster County and the Lincoln-Lancaster County Public Building Commission, found at County Contract No. C-08-0364, for the annual requirements of envelope supply and printing. The amendment provides for price increases pursuant to Attachment 1. (C-10-0541)**

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

- E. **A contract between M & M Used Oil Services, Inc., the City of Lincoln and Lancaster County for the annual supply of used oil collection. The County will pay for items pursuant to State of Nebraska Contract No. QG1008. Term of the contract is October 1, 2010, to March 31, 2011. (C-10-0547)**

The Clerk announced that the item is being held at the request of the County Attorney's Office.

- F. **An agreement between the City of Lincoln, on behalf of the Lincoln-Lancaster County Planning Department, Lincoln Electric System (LES) and the City of Lincoln Public Works Department, and Lancaster County, on behalf of the Lancaster County Engineering Department, to provide for the funding of Environmental Systems Research Institute, Inc., for professional services onsite consulting support and Geographic Information System (GIS) enhancement planning. The County shall pay up to \$9,000 for the services provided. Term of the agreement is one year from the date of execution by both parties. (C-10-0542)**

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

- G. **An agreement between Lancaster County, Region V Systems and Cornhusker Place of Lincoln-Lancaster County, Inc., for Cornhusker Place to assist the County and Region V by including in the services it presently provides the detention of individuals who are in Emergency Protective Custody (EPC) in cases in which detention at Cornhusker Place is appropriate. Term of the agreement is July 1, 2010, to June 30, 2011. Any party may terminate the agreement by giving 60 days written notice. (C-10-0543)**

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

- H. **An agreement between Lancaster County and the Mental Health Association for a Supported Employment/Education Special Assistant to carry out duties and conduct research for the Community Mental Health Center's participation in the "Recovery After the Initial Schizophrenia Episode (RAISE)" project. The County shall pay \$24.03 per hour for no more than five hours of service per week. Term of the agreement is May 1, 2010, to July 12, 2011. (C-10-0544)**

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

4) NEW BUSINESS CONTINUED:

- I. **A grant contract with CASA for Lancaster County in the amount of \$25,000 to provide funding for the court appointed advocates program. Term of the grant contract is July 1, 2010, to June 30, 2011. (C-10-0545)**

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

- J. **A grant contract with the Lincoln Council on Alcoholism & Drugs in the amount of \$25,000 to provide funding for the substance abuse prevention program. Term of the grant contract is July 1, 2010, to June 30, 2011. (C-10-0546)**

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

- K. **A grant contract with the Lincoln Council on Alcoholism & Drugs in the amount of \$196,000 to provide implementation funding for the Lancaster Alcohol and Abuse Prevention Partnership. Term of the grant contract is July 1, 2010, to September 30, 2011. (C-10-0548)**

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

- L. **A grant contract with Heartland Big Brothers Big Sisters in the amount of \$25,000 to provide funding for the Heartland Big Brothers Big Sisters program. Term of the grant contract is July 1, 2010, to June 30, 2011. (C-10-0549)**

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

Stevens noted that the Board had made a commitment to fund the grant contracts based on recommendations from the Joint Budget Committee (JBC) and said three are a pass-through of federal funds.

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

- M. **A grant contract with the Lincoln/Lancaster County Child Guidance Center in the amount of \$60,000 to provide funding for the Outpatient Mental Health Services program. Term of the grant contract is July 1, 2010, to June 30, 2011. (C-10-0550)**

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

- N. **A grant contract with the League of Human Dignity, Inc., in the amount of \$70,000 to provide funding of \$51,500 for the Center for Independent Living program and \$18,500 for the Barrier Removal program. Term of the grant contract is July 1, 2010, to June 30, 2011. (C-10-0551)**

4) **NEW BUSINESS CONTINUED:**

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

- O. **A grant contract with the Family Violence Council in the amount of \$13,203 to provide funding for the Project Coordinator of the Violence Against Women program "A Coordinated Response to Reducing Domestic Violence". The Family Violence Council will provide \$4,401 in matching funds. Term of the grant contract is June 1, 2010, to May 31, 2011. (C-10-0552)**

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

- P. **A grant contract with Voices of Hope in the amount of \$55,114 to provide funding for the Violence Against Women program "A Coordinated Response to Reducing Domestic Violence". Voices of Hope will provide \$10,000 in matching funds. Term of the grant contract is June 1, 2010, to May 31, 2011. (C-10-0553)**

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

- Q. **A grant contract with HUB Central Access Point for Young Adults in the amount of \$25,000 to provide funding for the Lincoln Education Outreach program. Term of the grant contract is July 1, 2010, to June 30, 2011. (C-10-0554)**

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

- R. **A grant contract with the Good Neighbor Community Center in the amount of \$80,000 to provide funding for the Basic and Emergency Needs program. Term of the grant contract is July 1, 2010, to June 30, 2011. (C-10-0555)**

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

- S. **A political subdivision tort claim filed against Lancaster County Corrections by Heather L. Morgan for lost property in the amount of \$25.**

MOTION: Schorr moved and Hudkins seconded to deny the claim, based upon a recommendation from the Corrections Director. Workman, Schorr, Hudkins, Stevens and Heier voted aye. Motion carried 5-0.

- T. **A political subdivision tort claim filed against Lancaster County Corrections by Kambiz Amjad for lost property in an undisclosed amount.**

MOTION: Schorr moved and Hudkins seconded to deny the claim, based upon a recommendation from the Corrections Director.

John Austin appeared and asked whether the Board ever approves claims of this sort.

4) **NEW BUSINESS CONTINUED:**

Hudkins said the Board generally pays claims that are substantiated.

Stevens said there are video recordings of individuals who are booked into the jail and what is inventoried and said they sign a form acknowledging what property was turned over. He said their possessions are returned to them when they are released and they sign a form acknowledging return of their property. Any discrepancies are investigated.

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

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 County Sheriff's monthly report for September, 2010.**

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

6) **PUBLIC COMMENT:**

Kim Kaspar, American Federation of State, County & Municipal Employees (AFSCME) President, appeared and submitted a letter from a former Lancaster County employee (Exhibit A).

The Chair said the letter addresses a personnel matter, therefore, it is not an appropriate item for discussion.

Kaspar said she would also like to address the issues of employee furloughs and direct deposit of employee paychecks.

The Chair said those issues are currently being negotiated and are also not appropriate items for discussion at this time.

Brittany Behrens, Deputy County Attorney, said the direct deposit issue is currently on hold.

Kaspar said she would also like to make sure the union contract is being properly enforced.

Melvin Moore, citizen, appeared and discussed the upcoming general election.

John Austin appeared and discussed a variety of topics, including relocation of the Nebraska Sheriff's Association Building and the Lancaster Manor Proceeds Committee.

7) **ANNOUNCEMENTS:**

- A. **The Lancaster County Board of Commissioners will hold a staff meeting on Thursday, October 28, 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: Stevens moved and Hudkins seconded to adjourn the Board of Commissioners meeting at 10:07 a.m. Hudkins, Stevens, Schorr, Workman and Heier voted aye. Motion carried 5-0.

/s/Dan Nolte

Dan Nolte
Lancaster County Clerk

MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, OCTOBER 26, 2010
COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
IMMEDIATELY FOLLOWING THE LANCASTER COUNTY
BOARD OF COMMISSIONERS MEETING

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

Others present: Scott Gaines, Deputy County Assessor/Register of Deeds
Kerry Eagan, Chief Administrative Officer
Gwen Thorpe, Deputy Chief Administrative Officer
Brittany Behrens, Deputy County Attorney
Dan Nolte, County Clerk
Cori Beattie, Deputy County Clerk
Ann Taylor, County Clerk's Office

The location announcement of the Nebraska Open Meetings Act was given and the meeting was called to order at 10:07 a.m.

1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, October 19, 2010.**

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

2) **ADDITIONS AND DEDUCTIONS: Approval of 20 additions and deductions to the tax assessment rolls per Attachments "A and "B".**

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

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

CenterPointe, Inc.

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

4) **REVIEW OF 2010 REAL ESTATE TAX EXEMPTION:**

Zion Church: Presbyterian Church in America

Scott Gaines, Chief Administrative Deputy Assessor/Register of Deeds, appeared and said the church is currently leasing office space to a church member who has a commercial advertising/marketing business. He recommended that the leased portion, which is 15% of the property, be taxed. The remaining 85% of the property would be exempt. Gaines said the church is aware of the recommendation and is in agreement.

MOTION: Hudkins moved and Stevens seconded to approve the recommendation. 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 10:10 a.m. Stevens, Workman, Schorr, Hudkins and Heier voted aye. Motion carried 5-0.

/s/Dan Nolte

Dan Nolte
Lancaster County Clerk