

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, NOVEMBER 8, 2011
COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
9:30 A.M.

Commissioners present: Deb Schorr, Chair
Bernie Heier, Vice Chair
Larry Hudkins
Jane Raybould
Brent Smoyer

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
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, November 1, 2011.**

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

2) **CLAIMS: Approval of all claims processed through Tuesday, November 8, 2011.**

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

3) **SPECIAL PRESENTATIONS:**

A. **County Commissioners Award of Excellence for September 2011 to Diane Ness-Kirchhoff, Community Mental Health Center.**

Dean Settle, Community Mental Health Center Executive Director, introduced Diane Ness-Kirchhoff. The Clerk read the nomination for the record. Travis Parker, Community Mental Health Center Deputy Director, commended Ness-Kirchhoff for her work. Ness-Kirchhoff expressed her appreciation and accepted a plaque from Commissioner Raybould.

B. **"The Artist Inside" project between the Lancaster County Youth Services Center and the Lux Center for the Arts – Michelle Schindler, Director of the Lancaster County Youth Services Center, and Jo Ann Emerson, Executive Director of the Lux Center for the Arts.**

SPECIAL PRESENTATIONS CONTINUED:

Michelle Schindler, Lancaster County Youth Services Center Director, introduced Jo Ann Emerson, Lux Center for the Arts Executive Director. Emerson discussed the project, explaining that ornaments would be created for the State Christmas tree in Washington D.C.

C. Update on the fire at the Lincoln-Lancaster County Health Department building – Judy Halstead, Director of the Lincoln-Lancaster County Health Department.

Judy Halstead gave an update on the fire and its damage (Exhibit A). She explained that the fire started in an old portion of the building converted to storage; multiple batteries being stored together in an envelope were the cause. Halstead thought the total loss would be less than the original estimate of \$60,000. She discussed the lessons learned and how to be prepared in the future.

4) NEW BUSINESS:

A. A resolution in the matter of fixing the date, time and place for a public hearing regarding a request to vacate a portion of NW 12th Street between W. Branched Oak Road and W. Raymond Road, such portion beginning at a point 575 feet north of the southwest corner of the northwest quarter, Section 34, Township 12 North, Range 6 East of the 6th Principal Meridian, thence north ending at a point 775 feet north of said southwest corner of said northwest quarter, Lancaster County, Nebraska. (The public hearing date will be set for December 6, 2011.) (R-11-0083)

Hudkins explained that the road vacation is a consequence of the Salt Creek Tiger Beetle. He said the section being closed is about a 200-foot stretch of dirt road, and the landowners have no objection.

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

B. A resolution approving a keno satellite location at Jasper's, LLC, d/b/a Jasper's, 13940 O Street, Suite 7-8-9, Lincoln, Lancaster County, Nebraska. (R-11-0084)

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

C. 2011 sub-recipient agreement for Lancaster County in the amount of \$80,000 from the Nebraska Emergency Management Agency. Term of the agreement is July 1, 2011, to June 30, 2012. (C-11-0631)

Doug Ahlberg, Emergency Management Director, said last year the grant amount was for \$65,000 and this year it has increased to \$80,000.

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

D. A recommendation from the Purchasing Agent and the County Assessor to award a contract to Tyler Technologies, Inc., in the amount of \$36,500 for field device data collection software and training. (B-11-0037)

NEW BUSINESS CONTINUED:

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

- E. **A recommendation from the Purchasing Agent and the County Assessor to award a contract to Apex Software in the amount of \$102,160 for field device sketching software and training, mobile tablets and electronic measuring devices. (B-11-0038)**

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

- F. **A contract with Cable Guyz in the amount of \$82,812 for fiber and cable supply and installation at the new Lancaster County Correctional Facility. All work is to be completed by December 15, 2011. (C-11-0632)**

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

- G. **An agreement with First Wireless Communications, Inc., for consulting services for radio frequency system design for the radio system to be used at the new Lancaster County Correctional Facility. The County will pay up to \$9,750 for the services. Term of the agreement is October 1, 2011, to September 30, 2012. (C-11-0633)**

Raybould questioned having 100% accuracy guaranteed in the contract. Mike Thurber, Corrections Director, said the industry standard for buildings with concrete and steel is 95%; there is no 100% guarantee. He said increased testing would be done to make sure there are not as many defaults in the radio system. Part of the design would include a radio repeater system, leaky coax or a combination of both.

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

- H. **An agreement with Saint Elizabeth Sports & Physical Therapy and Lincoln Physician Network, d/b/a Company Care, for pre-confirmation physical examinations and screening of potential employees. The County will pay for services in accordance with the City of Lincoln Contract Agreement, Executive Order No. 82314. The agreement is effective through May 31, 2012. (C-11-0634)**

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

- I. **An amendment to County Contract C-10-0457 with Alamar Uniforms for the annual requirements for body armor second chance vests. The amendment provides for the price increase listed in Attachment A. (C-11-0635)**

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

NEW BUSINESS CONTINUED:

- J. **An amendment to County Contract C-09-0070 between Knoll, Inc., Lancaster County, the City of Lincoln and the Lincoln-Lancaster County Public Building Commission for the annual requirements of Knoll Systems furniture. The amendment renews the contract for an additional one-year term from October 1, 2011, to September 30, 2012. (C-11-0636)**

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

- K. **An interlocal agreement between Lancaster County, the City of Lincoln and the United Way of Lincoln and Lancaster County to jointly provide funding for the oversight and administration of the Community Services Initiative (CSI) project. The County and the City of Lincoln will each contribute \$15,000 and the United Way will contribute \$30,000 for a total contract fee of \$60,000. Term of the agreement is July 1, 2011, to June 30, 2012. (C-11-0637)**

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

- L. **A grant contract with The HUB, Inc., in the amount of \$49,235 to provide funding for the Helping Improve Readiness for Employment (Project HIRE) program. Term of the grant contract is July 1, 2011, to June 30, 2012. (C-11-0638)**

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

- M. **A grant contract with Heartland Big Brothers Big Sisters in the amount of \$15,000 to provide funding for the Big Brothers Big Sisters program. Term of the grant contract is July 1, 2011, to June 30, 2012. (C-11-0639)**

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

- N. **A grant contract with Clyde Malone Community Center in the amount of \$7,000 to provide funding for the Truancy Intervention program. Term of the grant contract is July 1, 2011, to June 30, 2012. (C-11-0640)**

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

- O. **Adoption of the Prudential Retirement Specimen Governmental 457(b) Plan for the Lancaster County 457(b) Deferred Compensation, as revised July 2011.**

Kerry Eagan, Chief Administrative Officer, said the plan adds the Roth component. In response to Hudkins' question, he said the plan was reviewed with Doug Cyr, Deputy County Attorney. It was not taken to the Pension Review Committee because the decision had already been made to move forward with the Roth.

NEW BUSINESS CONTINUED:

MOTION: Raybould moved and Smoyer seconded approval to adopt the plan. Smoyer, Hudkins, Raybould, Heier and Schorr voted aye. Motion carried 5-0.

P. Prudential Retirement Specimen Governmental 457(b) Plan adoption agreement entered into between Lancaster County and Prudential Retirement. (C-11-0641)

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

Q. Pending litigation (executive session).

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

5) **CONSENT ITEMS:** *These are routine business items that 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 monthly reports for October 2011:**
 - 1. **County Clerk**
 - 2. **Clerk of the District Court**
 - 3. **County Assessor/Register of Deeds**
 - 4. **County Records & Information Management**

- B. **Receive and place on file the NBCS Expenditure & Inventory Reports submitted to the Nebraska State Board of Public Roads Classifications and Standards for the fiscal year ending June 30, 2011.**

- C. **Setting of a public hearing for Tuesday, November 29, 2011, at 4:30 p.m. in the County Commissioners Hearing Room, Room 112, on the first floor of the County-City Building regarding the adoption of the 2011 edition of the National Electrical Code and the new fee schedule.**

- D. **Setting of a public hearing for Tuesday, November 29, 2011, at 5:00 p.m. in the County Commissioners Hearing Room, Room 112, on the first floor of the County-City Building regarding the One and Six Year Road and Bridge Improvement Program for July 1, 2012, through June 30, 2017.**

MOTION: Hudkins moved and Raybould seconded approval of the consent items. Heier, Smoyer, Hudkins, Raybould and Schorr voted aye. Motion carried 5-0.

6) **PUBLIC COMMENT:** Those wishing to speak on items relating to County business not on the agenda may do so at this time.

No one appeared for public comment.

7) **ANNOUNCEMENTS:**

- A. The Lancaster County Board will hold a staff meeting on Thursday, November 10, 2011, at 8:30 a.m., in Room 113 on the first floor of the County-City Building.
- B. The Lancaster County Board of Commissioners will hold their next regular meeting on Tuesday, November 15, at 9:30 a.m., in Room 112 on the first floor of the County-City Building, with the Board of Equalization meeting immediately following.
- C. The Lancaster County Board of Commissioners meeting is broadcast live. It is rebroadcast on Tuesday and Saturday on 5 City-TV, Cable Channel 5. In addition, the meeting may be viewed on Nebraska On Demand Time Warner Channel 411 and on the internet at www.lancaster.ne.gov. Click on 5 City-TV Video on Demand.
- D. The County Commissioners can be reached at 402-441-7447 or commish@lancaster.ne.gov.

The Chair recessed the meeting at 10:12 a.m.

The Chair reconvened the meeting at 10:13 a.m.

RETURNING TO ITEM 4Q:

MOTION: Smoyer moved and Hudkins seconded to enter executive session for the purpose of potential litigation and to protect the public interest at 10:13 a.m.

The Chair restated the motion for the record.

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

MOTION: Heier moved and Smoyer seconded to exit executive session at 10:48 a.m. Hudkins, Raybould, Heier, Smoyer and Schorr voted aye. Motion carried 5-0.

8) **ADJOURNMENT**

MOTION: Heier moved and Smoyer seconded to adjourn the Board of Commissioners meeting at 10:48 a.m. Hudkins, Raybould, Heier, Smoyer and Schorr voted aye. Motion carried 5-0.



Dan Nolte
Lancaster County Clerk



MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, NOVEMBER 8, 2011
COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
IMMEDIATELY FOLLOWING THE LANCASTER COUNTY
BOARD OF COMMISSIONERS MEETING

Commissioners present: Deb Schorr, Chair
Bernie Heier, Vice Chair
Larry Hudkins
Jane Raybould
Brent Smoyer

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
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 10:12 a.m.

1) **MINUTES**: Approval of the minutes of the Board of Equalization meeting held on Tuesday, November 1, 2011.

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

2) **NOTICE OF TAXABLE STATUS**:

City of Lincoln

Scott Gaines, Deputy County Assessor/Register of Deeds, said the property would not be utilized for a public purpose. The notice will clarify that the property will remain taxable.

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

3) **ADJOURNMENT**

MOTION: Heier moved and Raybould seconded to adjourn the Board of Equalization meeting at 10:13 a.m. Heier, Smoyer, Hudkins, Raybould and Schorr voted aye. Motion carried 5-0.



Dan Nolte
Lancaster County Clerk



EXHIBIT

tabbles

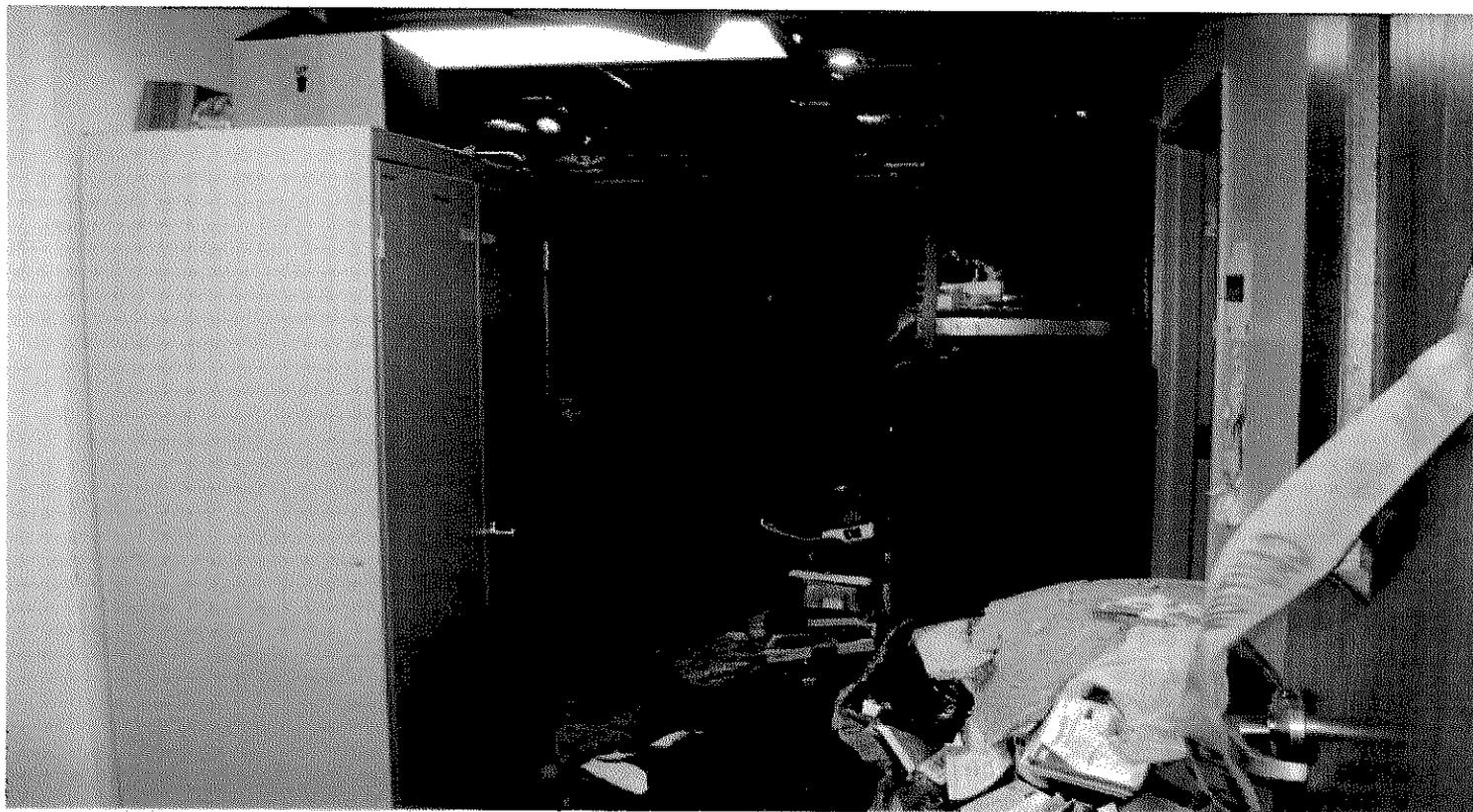
A

Health Department Fire

October 31, 2011

12:25 p.m.

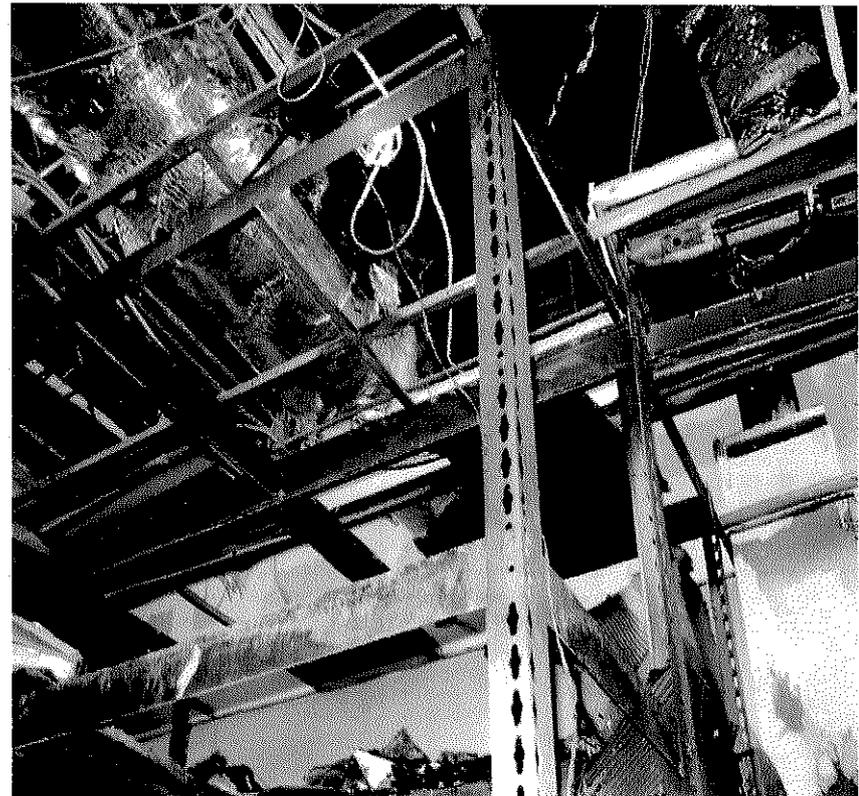
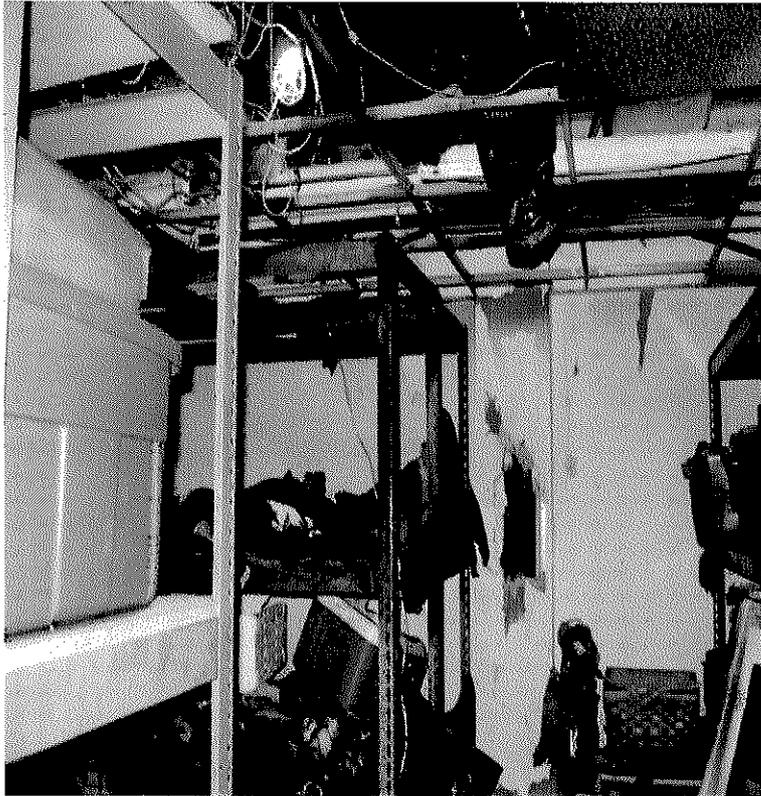
**The fire originated in Storage Room 0136 –
which used to be the former Animal Control
Office in the original building.**



The fire started on the third shelf, the second rack of shelves from the back of the room.



The fire spread up through the shelving rack, and up into the ceiling tile, lights, hvac, etc.



Adjacent shelving and materials stored near the origin of the fire fueled the fire.



Clean up started late afternoon the day of the fire. In addition to the fire, we had smoke and water damage. The newest technology has been used to assist with clean up.



Where are we today?

- As of today, all staff have returned to their original work areas
- The lower level fire room is still being gutted and will be renovated
- The lower level water damage is being assessed, however we experienced a relatively small loss compared to the size of the fire and the potential loss
- Estimated total loss will likely be less than the estimated \$60,000

What did we learn?

- Don't store batteries together! Store them individually or in the original package.
- Have a sprinkler system!
- Have a sprinkler system that is activated when the sprinkler heads melt from the heat/fire, not just smoke (as our previous system did).
- Have regular fire drills.
- Have an Incident Commander who is well trained, communicates well, and works well with everyone on the scene.