

**MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, NOVEMBER 20, 2007
COUNTY COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
9:30 A.M.**

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

Commissioners Absent: Bob Workman, Chair

Others Present: Kerry Eagan, Chief Administrative Officer
Gwen Thorpe, Deputy Chief Administrative Officer
Dan Nolte, County Clerk
Cori Beattie, Deputy County Clerk
Tom Fox, Deputy County Attorney

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 13, 2007.**

MOTION: Hudkins moved and Stevens seconded approval of the minutes of the Board of Commissioners meeting held on November 13, 2007. Hudkins, Stevens, Schorr and Heier voted aye. Motion carried.

- 2) **CLAIMS: Approval of all claims processed through Tuesday, November 20, 2007.**

MOTION: Stevens moved and Hudkins seconded approval of all claims processed through November 20, 2007. Schorr, Hudkins, Stevens and Heier voted aye. Motion carried.

- 3) **SPECIAL PRESENTATIONS:**

A. Appointment of Ron Lechner to the Veterans Service Committee, term to expire June 30, 2009.

Gary Chalupa, Veterans Service Officer, introduced Ron Lechner to the County Board and indicated Mr. Lechner meets all statutory requirements. He added Mr. Lechner's bond has also been filed in the County Clerk's Office.

MOTION: Stevens moved and Hudkins seconded approval of the appointment of Ron Lechner to the Veterans Service Committee, term to expire June 30, 2009. Schorr, Stevens, Hudkins and Heier voted aye. Motion carried.

4) **PUBLIC HEARINGS:**

- A. **Continuation of a public hearing regarding a request for an addition to licensed premises from Himark Golf Course, L.L.C., located at 8901 Augusta Drive, Lincoln, Lancaster County, Nebraska. (See New Business Item 5A for correlating correspondence.)**

The Vice Chair reconvened the public hearing and asked if anyone wished to provide testimony.

No one appeared and the hearing was closed.

5) **NEW BUSINESS:**

- A. **A resolution in the matter of a request for an addition to licensed premises from Himark Golf Course, L.L.C. d/b/a Himark Golf Course, located at 8901 Augusta Drive, Lincoln, Lancaster County, Nebraska. (R-07-0102)**

MOTION: Hudkins moved and Stevens seconded approval of Resolution No. R-07-0102 in the matter of a request for an addition to licensed premises from Himark Golf Course, L.L.C. d/b/a Himark Golf Course, located at 8901 Augusta Drive, Lincoln, Lancaster County, Nebraska. Stevens, Schorr, Hudkins and Heier voted aye. Motion carried.

- B. **A resolution authorizing the installation of a 'Stop' sign for eastbound traffic at the Union Pacific Railroad (UPRR) crossing located on W. Rock Creek Road west of Highway 79. (R-07-0103)**

MOTION: Schorr moved and Stevens seconded approval of Resolution No. R-07-0103 authorizing the installation of a 'Stop' sign for eastbound traffic at the Union Pacific Railroad (UPRR) crossing located on W. Rock Creek Road west of Highway 79. Schorr, Hudkins, Stevens and Heier voted aye. Motion carried.

- C. **An administrative services agreement between Lancaster County and Blue Cross and Blue Shield of Nebraska for the provision of claim administration services for Lancaster County's self-funded group health care program, effective January 1, 2008. (C-07-0508)**

5) **NEW BUSINESS CONTINUED:**

MOTION: Hudkins moved and Stevens seconded approval of an administrative services agreement between Lancaster County and Blue Cross and Blue Shield of Nebraska for the provision of claim administration services for Lancaster County's self-funded group health care program, effective January 1, 2008. Schorr, Hudkins, Stevens and Heier voted aye. Motion carried.

D. A master group application for an administrative services agreement with Blue Cross and Blue Shield of Nebraska for the provision of claim administration services on behalf of Lancaster County's self-funded group health care program, effective January 1, 2008. (C-07-0509)

MOTION: Schorr moved and Hudkins seconded approval of a master group application for an administrative services agreement with Blue Cross and Blue Shield of Nebraska for the provision of claim administration services on behalf of Lancaster County's self-funded group health care program, effective January 1, 2008. Hudkins, Stevens, Schorr and Heier voted aye. Motion carried.

E. A contract for professional services with the Lincoln-Lancaster County Human Services Federation for the oversight and administration of the Community Services Initiative. The County will pay up to \$120,000 for the services. Term of the contract is July 1, 2007 through June 30, 2008. (C-07-0510)

MOTION: Hudkins moved and Schorr seconded approval of a contract for professional services with the Lincoln-Lancaster County Human Services Federation for the oversight and administration of the Community Services Initiative. Hudkins, Stevens, Schorr and Heier voted aye. Motion carried.

F. Recommendation from the Purchasing Agent and the staff of the Corrections Department, Community Mental Health Center, Lancaster Manor and the Youth Services Center to award a request for proposal (RFP) for pharmacy and related services to Pharmerica. (B-07-0064)

MOTION: Schorr moved and Hudkins seconded to award a request for proposal (RFP) for pharmacy and related services to Pharmerica as recommended by the Purchasing Agent and the staff of the Corrections Department, Community Mental Health Center, Lancaster Manor and the Youth Services Center. Schorr, Hudkins, Stevens and Heier voted aye. Motion carried.

G. Recommendation from the Purchasing Agent and the County Engineer to award a bid to Murphy Tractor & Equipment Co., in the amount of \$304,410, for two new John Deere 770D motor graders. (B-07-0065)

5) **NEW BUSINESS CONTINUED:**

Don Thomas, County Engineer, gave a brief overview of the bid noting the trade-in values on the equipment returned: \$28,000 trade-in value for a 1996 Galion motor grader and \$55,000 for a 1987 Caterpillar motor grader.

MOTION: Stevens moved and Schorr seconded to award a bid to Murphy Tractor & Equipment Co., in the amount of \$304,410, for two new John Deere 770D motor graders as recommended by the Purchasing Agent and the County Engineer. Schorr, Stevens, Hudkins and Heier voted aye. Motion carried.

H. Authorization of Wells Fargo Bank, as trustee, to disburse and make payment from the Lancaster County Limited Tax Building 2004 Construction Fund to Tyler Technologies, in the amount of \$31,610.60, for modifications to the Orion System for the Lancaster County Assessor/Register of Deeds.

Rob Ogden, Chief Deputy County Assessor/Register of Deeds, stated this would be their final payment regarding the Orion System. The remaining monies would be for the County Treasurer's portion.

MOTION: Schorr moved and Stevens seconded approval to authorize Wells Fargo Bank, as trustee, to disburse and make payment from the Lancaster County Limited Tax Building 2004 Construction Fund to Tyler Technologies, in the amount of \$31,610.60, for modifications to the Orion System for the Lancaster County Assessor/Register of Deeds. Schorr, Stevens, Hudkins and Heier voted aye. Motion carried.

I. Requests from James L. Haszard for payment of attorney's fees pursuant to Lancaster County Resolution No. 4630 for his representation of the following clients: Jim Guillatt, Jr., in the amount of \$825, and Korene Mistoler, in the amount of \$906.43.

MOTION: Stevens moved and Hudkins seconded approval of requests from James L. Haszard for payment of attorney's fees pursuant to Lancaster County Resolution No. 4630 for his representation of the following clients: Jim Guillatt, Jr., in the amount of \$825, and Korene Mistoler, in the amount of \$906.43. Stevens, Schorr, Hudkins and Heier voted aye. Motion carried.

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:*

6) **CONSENT ITEMS CONTINUED:**

A. Receive and Place on File:

1. **Lancaster County Engineer's Quarterly Report for July, August and September, 2007.**
2. **Lancaster County Engineer's Quarterly Report for the Geographic Information System (GIS) Division for July, August and September, 2007.**
3. **Lancaster County Records & Information Management's Monthly Report for October, 2007.**
4. **Annual Report to the Nebraska Board of Road Classifications and Standards from the Lancaster County Engineering Department for the fiscal year ending June 30, 2007.**

B. Setting of public hearings for Tuesday, December 4, 2007 at 9:30 a.m. in the Commissioners Hearing Room, Room 112, on the first floor of the County-City Building regarding the following:

1. **County Change of Zone No. 07052**, from AG Agricultural District to AGR Agricultural Residential District, requested by Pendel, Inc., on property generally located at N.W. 118th Street and West Fletcher Road in Lancaster County, Nebraska.
2. **County Special Permit No. 07039**, Parkland Estates Community Unit Plan, requested by Pendel, Inc., on property generally located at N.W. 118th Street and West Fletcher Road in Lancaster County, Nebraska.
3. **County Special Permit No. 07040**, for authority to develop dwelling units within 1,320 feet of a public lake, requested by Pendel, Inc., on property generally located at N.W. 118th Street and West Fletcher Road in Lancaster County, Nebraska.

C. Requests from the following individuals to voluntarily participate in the Lancaster County Retirement Plan having met the requirements:

- * **James G. Fuller, an employee with the Community Mental Health Center**
- * **Tiffany Siegrist, an employee with the Corrections Department**

D. A leasehold contract relating to road improvements between the Lancaster County Engineering Department and Jeff Kubik, in the amount of \$10, on South 82nd Street from Roca Road to Hickman Road; Project C55-S-404(3). (C-07-0499)

6) **CONSENT ITEMS CONTINUED:**

E. Right-of-way contracts relating to road improvements between the Lancaster County Engineering Department and the following:

- * Randall and Dorene Johnson, in the total amount of \$5,442, on South 82nd Street from Hickman Road to Roca Road; C55-S-404(3). (2 contracts) (C-07-0500 and C-07-0501)
- * Randy and Carolyn Madison, in the total amount of \$476, on South 82nd Street from Hickman Road to Roca Road; Project C55-S-404(3). (3 contracts) (C-07-0502 through C-07-0504)
- * Alan and Jone Beer, in the total amount of \$2,315, on South 82nd Street from Hickman Road to Roca Road; Project C55-S-404(3). (3 contracts) (C-07-0505 through C-07-0507)

MOTION: Stevens moved and Hudkins seconded approval of the Consent Items. Schorr, Hudkins, Stevens and Heier voted aye. Motion carried.

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

Tom Fox, Deputy County Attorney, provided the definition of an emergency item as being an item that requires immediate action or remedy to be taken at a specific meeting or something bad may occur.

MOTION: Schorr moved and Hudkins seconded to enter into discussion regarding detention services for the Department of Health and Human Services, Office of Juvenile Services Youth. Schorr, Hudkins, Stevens and Heier voted aye. Motion carried.

Discussion was held regarding the possibility that the Nebraska Department of Health and Human Services (HHS) may withdraw HHS-Office of Juvenile Services (OJS) youth that are placed at the Youth Services Center (YSC) because there is no firm settlement on the per diem rate.

MOTION: Stevens moved and Schorr seconded to schedule a Staff Meeting on Tuesday, November 27, 2007 immediately following the regular meeting of the Board of Commissioners meeting regarding the Youth Services Center and juvenile detention contract with the Nebraska Department of Health and Human Services (HHS) concerning OJS youth. Stevens, Schorr and Heier voted aye. Hudkins abstained from voting. Motion carried.

9) **ADJOURNMENT:**

MOTION: Stevens moved and Schorr seconded adjournment of the Board of Commissioners meeting at 10:17 a.m.. Hudkins, Stevens, Schorr and Heier voted aye. Motion carried.

Dan Nolte
County Clerk

**MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, NOVEMBER 20, 2007
COUNTY COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
IMMEDIATELY FOLLOWING THE REGULAR BOARD OF COMMISSIONERS
MEETING**

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

Commissioners Absent: Bob Workman, Chair

Others Present: Kerry Eagan, Chief Administrative Officer
Gwen Thorpe, Deputy Chief Administrative Officer
Dan Nolte, County Clerk
Cori Beattie, Deputy County Clerk
Tom Fox, Deputy County Attorney
Rob Ogden, Chief Deputy Assessor/Register of Deeds

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, November 13, 2007.**

MOTION: Stevens moved and Hudkins seconded approval of the minutes of the Board of Equalization meeting on November 13, 2007. Schorr, Stevens, Hudkins and Heier voted aye. Motion carried.

- 2) **ADDITIONS AND DEDUCTIONS:**

Approval of 3 additions and deductions to the tax assessment rolls per Attachments "A".

MOTION: Stevens moved and Schorr seconded approval of the additions and deductions to the tax assessment rolls. Schorr, Hudkins, Stevens and Heier voted aye. Motion carried.

3) **MOTOR VEHICLE TAX EXEMPTIONS:**

**Alzheimer's Association
Cristo Rey Church
St. Mark's United Methodist Church**

MOTION: Schorr moved and Stevens seconded approval of motor vehicle tax exemptions for Alzheimer's Association, Cristo Rey Church and St. Mark's United Methodist Church. Schorr, Stevens, Hudkins and Heier voted aye. Motion carried.

4) **APPEAL FILED ON DISQUALIFICATION OF GREENBELT STATUS:**

Prairie Homes Builders, Inc.

Appearing were Mark Buckwalter, attorney representing Prairie Home Builders, Inc. and Steve Champoux, owner of Prairie Home Builders, Inc..

Buckwalter gave a brief overview of the property indicating it is used for agriculture. Also provided was the Farm Service Administration (FSA) number (2492).

Rob Ogden, Chief Deputy County Assessor/Register of Deeds, stated that after receiving the testimony he would recommend that greenbelt status be reinstated.

MOTION: Schorr moved and Hudkins seconded to reinstate greenbelt status relating to Parcel I.D. No. 17-11-400-006-000 for Prairie Homes Builders, Inc.. Schorr, Stevens, Hudkins and Heier voted aye. Motion carried.

5) **NOTICE OF ASSESSED VALUATION CHANGE FOR PROPERTY TAXATION PURPOSES FOR 2006 & 2007:**

LRDF1 Lincoln L.L.C.

MOTION: Hudkins moved and Stevens seconded to send notice of assessed valuation change for property taxation purposes for 2006 and 2007 for LRDF1 Lincoln L.L.C.. Stevens, Schorr, Hudkins and Heier voted aye. Motion carried.

6) **ADJOURNMENT:**

MOTION: Schorr moved and Stevens seconded adjournment of the Board of Equalization meeting at 10:31 a.m.. Schorr, Hudkins, Stevens and Hudkins voted aye. Motion carried.

Dan Nolte
County Clerk