

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, APRIL 1, 2008
COUNTY COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
9:30 A.M.

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

Others Present: Kerry Eagan, Chief Administrative Officer
Gwen Thorpe, Deputy Chief Administrative Officer
Dan Nolte, County Clerk
Cori Beattie, Chief 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, March 25 2008.**

MOTION: Stevens moved and Hudkins seconded approval of the minutes of the Board of Commissioners meeting held on Tuesday, March 25, 2008. Hudkins, Stevens, Schorr and Heier voted aye. Workman abstained from voting. Motion carried.

2) **CLAIMS: Approval of all claims processed through Tuesday, April 1, 2008.**

MOTION: Schorr moved and Stevens seconded approval of all claims processed through April 1, 2008. Schorr, Hudkins, Heier, Stevens and Workman voted aye. Motion carried.

3) **SPECIAL PRESENTATIONS:**

A. Region V Services Annual Report - Dave Merrill, Region V Services

Dave Merrill, Executive Director of Region V Services, disseminated and briefly highlighted the 2007 Annual Report for Region V Services (Exhibit 1).

3) **SPECIAL PRESENTATIONS CONTINUED:**

C.J. Johnson, Regional Administrator for Region V Systems, gave an overview of the Lancaster County Annual Report for Fiscal Year 2006-2007 (Exhibit 2).

B. A resolution in the matter of supporting full funding for developmental disabilities by the State of Nebraska. (R-08-0021)

MOTION: Schorr moved and Heier seconded approval of Resolution No. R-08-0021 in the matter of supporting full funding for developmental disabilities by the State of Nebraska. Heier, Schorr, Stevens, Hudkins and Workman voted aye. Motion carried.

4) **NEW BUSINESS:**

A. An application for a Special Designated License from Ken's Liquor, Inc. to provide liquor beverage service for a wedding reception on Saturday, April 19, 2008 from 5 p.m. to 1 a.m. at Country Pines, located at 6305 West Adams Street, Lincoln, Lancaster County, Nebraska.

MOTION: Heier moved and Hudkins seconded approval of an application for a Special Designated License from Ken's Liquor, Inc. to provide liquor beverage service for a wedding reception on Saturday, April 19, 2008 from 5 p.m. to 1 a.m. at Country Pines, located at 6305 West Adams Street, Lincoln, Lancaster County, Nebraska.

Stevens suggested that future applications include an approximate number of attendees.

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

B. Six applications for Special Designated Licenses from Hillcrest Country Club, located at 9401 East "O" Street, to hold golfing events on May 4, May 25, June 1, July 6, August 3 and August 17, 2008. Hours for the golfing events will be from 6 a.m. to 12 p.m. on all dates.

4) **NEW BUSINESS CONTINUED:**

MOTION: Stevens moved and Heier seconded approval of six applications for Special Designated Licenses from Hillcrest Country Club, located at 9401 East "O" Street, to hold golfing events on May 4, May 25, June 1, July 6, August 3 and August 17, 2008. Hours for the golfing events will be from 6 a.m. to 12 p.m. on all dates. Stevens, Heier, Schorr, Hudkins and Workman voted aye. Motion carried.

C. A contract between the Lancaster County Engineering Department and M. E. Collins Contracting Co., Inc., in the amount of \$358,270.53, for replacement of deficient culverts and small bridges at various locations within the County; Project 08-05. The work will begin on April 14, 2008 and be completed by September 19, 2008. (C-08-0126)

MOTION: Heier moved and Hudkins seconded approval of a contract between the Lancaster County Engineering Department and M. E. Collins Contracting Co., Inc., in the amount of \$358,270.53, for replacement of deficient culverts and small bridges at various locations within the County; Project 08-05. Heier, Schorr, Hudkins, Stevens and Workman voted aye. Motion carried.

D. A construction contract between the Lancaster County Engineering Department and Rush Creek Construction, Inc. of Beatrice, Nebraska, in the amount of \$98,247.18, for erosion control and box culverts at various locations within the County; Project 08-25. The work will begin on April 14, 2008 and be completed by September 19, 2008. (C-08-0127)

MOTION: Stevens moved and Schorr seconded approval of a construction contract between the Lancaster County Engineering Department and Rush Creek Construction, Inc. of Beatrice, Nebraska, in the amount of \$98,247.18, for erosion control and box culverts at various locations within the County; Project 08-25. Schorr, Hudkins, Stevens, Heier and Workman voted aye. Motion carried.

E. A construction contract between the Lancaster County Engineering Department and H.R. Bookstrom, Inc., in the amount of \$98,145.90, for replacement of deficient culverts at various locations within the County. The work will begin on April 28, 2008 and will be completed by August 29, 2008. (C-08-0128)

4) **NEW BUSINESS CONTINUED:**

MOTION: Schorr moved and Hudkins seconded approval of a construction contract between the Lancaster County Engineering Department and H.R. Bookstrom, Inc., in the amount of \$98,145.90, for replacement of deficient culverts at various locations within the County. Hudkins, Stevens, Schorr, Heier and Workman voted aye. Motion carried.

F. Agreement with iXTEND, Inc. for computer consulting services and the installation of the upgrade to the Enterprise One Financial Multi-Foundation environment software upgrade. The Enterprise One software will be upgraded to the 8.12 version of the software. The software and other software tools are to be utilized by various County departments including the County Treasurer's Office, the County Clerk's Office and County Finance. Term of the agreement is April 1, 2008 through April 1, 2010 and the County shall pay \$160 per hour for such services. The Enterprise One Upgrade to 8.12 shall not exceed 240 hours of service. Total cost of the Enterprise One Upgrade to 8.12 is estimated to be \$38,400. (C-08-0129)

This item held for one week at the request of the County Attorney's Office.

G. Agreements with All Care Grounds Management, ProMow, Inc., and Liberty Lawn and Landscape, Inc. for weed control services for the Lancaster County Noxious Weed Control Authority, at rates as specified in the bid; Specification No 08-064. (C-08-0130) (C-08-0131) (C-08-0135)

MOTION: Stevens moved and Heier seconded approval of agreements with All Care Grounds Management, ProMow, Inc., and Liberty Lawn and Landscape, Inc. for weed control services for the Lancaster County Noxious Weed Control Authority, at rates as specified in the bid; Specification No 08-064. Schorr, Hudkins, Heier, Stevens and Workman voted aye. Motion carried.

H. An agreement with Security Equipment, Inc. for magnetic door lock equipment and installation at Lancaster Manor in the amount of \$18,508. Installation shall be completed by May 1, 2008. (C-08-0132)

4) **NEW BUSINESS CONTINUED:**

MOTION: Schorr moved and Hudkins seconded approval of an agreement with Security Equipment, Inc. for magnetic door lock equipment and installation at Lancaster Manor in the amount of \$18,508. Installation shall be completed by May 1, 2008. Heier, Schorr, Stevens, Hudkins and Workman voted aye. Motion carried.

I. An agreement with Jacobsen Fire Equipment for Kitchen Hood Fire Suppression equipment and installation at Lancaster Manor in the amount of \$2,195. Installation shall be completed by May 1, 2008. (C-08-0133)

MOTION: Heier moved and Stevens seconded approval of an agreement with Jacobsen Fire Equipment for Kitchen Hood Fire Suppression equipment and installation at Lancaster Manor in the amount of \$2,195. Schorr, Stevens, Hudkins, Heier and Workman voted aye. Motion carried.

J. An agreement between Lancaster County, on behalf of the Lancaster County Election Commissioner, and Steve McClatchey for the delivery of voting machines and other miscellaneous equipment to several polling locations for the Primary Election on May 13, 2008. The agreement shall commence upon execution by both parties and shall continue until May 16, 2008. The County will pay \$48 per polling location for the delivery services. (C-08-0134)

MOTION: Hudkins moved and Stevens seconded approval of an agreement between Lancaster County, on behalf of the Lancaster County Election Commissioner, and Steve McClatchey for the delivery of voting machines and other miscellaneous equipment to several polling locations for the Primary Election on May 13, 2008. Stevens, Heier, Schorr, Hudkins and Workman voted aye. Motion carried.

K. Renewal of an agreement between Lancaster County and the Ameritas Group for the administration of the Lancaster County self-insured dental plan beginning January 1, 2009 through December 31, 2009. The monthly fee of \$4.71 per enrolled employee will remain applicable for the 2009 plan year. (C-08-0136)

4) **NEW BUSINESS CONTINUED:**

MOTION: Heier moved and Hudkins seconded approval of the renewal of an agreement between Lancaster County and the Ameritas Group for the administration of the Lancaster County self-insured dental plan beginning January 1, 2009 through December 31, 2009. Heier, Schorr, Hudkins, Stevens and Workman voted aye. Motion carried.

L. Renewal of an agreement between Lancaster County and the Ameritas Group for the administration of the Lancaster County vision plan beginning January 1, 2009, through December 31, 2009. The rates for the 2009 plan year will remain the same as rates for the current plan year. (C-08-0137)

MOTION: Hudkins moved and Stevens seconded approval of a renewal of an agreement between Lancaster County and the Ameritas Group for the administration of the Lancaster County vision plan beginning January 1, 2009, through December 31, 2009. Schorr, Hudkins, Stevens, Heier and Workman voted aye. Motion carried.

M. Recommendation from the Purchasing Agent and the Lancaster County Corrections Director to issue an order from State of Nebraska Contract No. 12089 OC to Husker Auto Group, in the amount of \$21,083, for a 2008 Chevrolet Express 3500 twelve passenger van. (B-08-0017)

MOTION: Stevens moved and Heier seconded approval to issue an order from State of Nebraska Contract No. 12089 OC to Husker Auto Group, in the amount of \$21,083, for a 2008 Chevrolet Express 3500 twelve passenger van as recommended by the Purchasing Agent and the Corrections Director. Hudkins, Stevens, Schorr, Heier and Workman voted aye. Motion carried.

N. Request from the Honorable Jodi L. Nelson to set the salary for Clancy Smith, Bailiff I, at \$20.30 per hour for 30 hours per week, retroactive to January 24, 2008.

MOTION: Stevens moved and Schorr seconded approval of a request from the Honorable Jodi L. Nelson to set the salary for Clancy Smith, Bailiff I, at \$20.30 per hour for 30 hours per week, retroactive to January 24, 2008. Hudkins, Stevens, Schorr, Heier and Workman voted aye. Motion carried.

4) **NEW BUSINESS CONTINUED:**

O. Request from Northland Capital Financial Services, L.L.C. for a refund of personal property taxes for 2007, in the approximate amount of \$547.

Scott Gaines, Deputy County Assessor/Register of Deeds, gave a brief overview of the request. Recommendation was to approve the request.

MOTION: Heier moved and Hudkins seconded approval of a request from Northland Capital Financial Services, L.L.C. for a refund of personal property taxes for 2007, in the approximate amount of \$547. Schorr, Hudkins, Heier, Stevens and Workman voted aye. Motion carried.

P. Political subdivision tort claim filed against the County Attorney's Office by Graylin Gray, in the amount of \$1,000,000 for pain and suffering.

MOTION: Schorr moved and Stevens seconded to deny a political subdivision tort claim filed against the County Attorney's Office by Graylin Gray, in the amount of \$1,000,000 for pain and suffering. Heier, Schorr, Stevens, Hudkins and Workman voted aye. Motion carried.

Q. Political subdivision tort claim filed by Thomas R. Zakrzewski against the County Attorney in the amount of \$3,000,000,000.

Tom Fox, Deputy County Attorney, stated the claim is against Lancaster County, instead of the County Attorney's Office.

MOTION: Heier moved and Hudkins seconded to deny a political subdivision tort claim filed by Thomas R. Zakrzewski against Lancaster County, in the amount of \$3,000,000,000. Schorr, Stevens, Hudkins, Heier and Workman voted aye. Motion carried.

R. Appointment of Alicia Henderson and Royce Jeffries to the Youth Services Advisory Committee for two-year terms, expiring on April 1, 2010.

MOTION: Heier moved and Stevens seconded approval of the appointment of Alicia Henderson and Royce Jeffries to the Youth Services Advisory Committee for two-year terms, expiring on April 1, 2010. Stevens, Heier, Schorr, Hudkins and Workman voted aye. Motion carried.

4) **NEW BUSINESS CONTINUED:**

S. Reappointment of Ed Woeppel to the Lancaster County Board of Zoning Appeals to a five-year term commencing April 1, 2008 and ending March 31, 2013.

MOTION: Schorr moved and Stevens seconded approval of the reappointment of Ed Woeppel to the Lancaster County Board of Zoning Appeals to a five-year term commencing April 1, 2008 and ending March 31, 2013. Heier, Schorr, Hudkins, Stevens and Workman voted aye. Motion carried.

T. Acknowledgment of Receipt of Flood Insurance Claims Handbook from the Federal Emergency Management Agency.

MOTION: Heier moved and Hudkins seconded acknowledged receipt of the Flood Insurance Claims Handbook from the Federal Emergency Management Agency. Schorr, Hudkins, Stevens, Heier and Workman voted aye. Motion carried.

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. Setting of a public hearing for Tuesday, April 15, 2008 in the County Commissioners Hearing Room, Room 112, on the first floor of the County-City Building regarding County Miscellaneous No. 08005, a text amendment to Chapter 3, Section 3.21 of the Lancaster County Land Subdivision Regulations.

B. Setting of public hearings for Tuesday, April 29, 2008 in the County Commissioners Hearing Room, Room 112, on the first floor of the County-City Building regarding the following:

1. An application for Corporate Manager for Dale W. Lilyhorn in connection with an application for a Class Y (Farm Winery) liquor license from Whispering Vines Winery L.L.C. d/b/a Windcrest Winery located at 3110 West Branched Oak Road, Raymond, Lancaster County, Nebraska.

5) **CONSENT ITEMS CONTINUED:**

2. An application for a catering license in connection with a Class Y (Farm Winery) liquor license for Deer Springs Winery L.L.C. d/b/a Deer Springs Winery located at 16255 Adams Street, Lincoln, Lancaster County, Nebraska.

C. Retirement plan request from Chad W. Bryant, an employee with the County Sheriff's Office.

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

6) **OTHER BUSINESS:**

Coby Mach and Andre Mick, appeared on behalf of the Lincoln Independent Business Association (LIBA), to encourage the County Board to consider further the following money-saving ideas which came forth at the Mid-Year Budget Review (Exhibit 3):

1. Implement a hiring freeze.
2. Benefits for part-time County employees.
3. Instruct agency directors to review their budget to determine if a five percent decrease could be made and if so, how they would make such a cut.

Hudkins stated it would be difficult for Lancaster Manor to reduce staffing because they are required to maintain a certain staffing level to stay within the parameters of Medicaid and Medicare.

7) **ADJOURNMENT:**

MOTION: Stevens moved and Heier seconded adjournment of the Board of Commissioners meeting at 10:25 a.m.. Hudkins, Stevens, Schorr, Heier and Workman voted aye. Motion carried.

Dan Nolte
County Clerk

**MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, APRIL 1, 2008
COUNTY COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
IMMEDIATELY FOLLOWING THE REGULAR BOARD OF COMMISSIONERS
MEETING**

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

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

The location announcement of the Nebraska Open Meetings Act was given and the meeting was called to order at 10:25 a.m..

1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, March 25, 2008.**

MOTION: Stevens moved and Schorr seconded approval of the minutes of the Board of Equalization meeting held on March 25, 2008. Hudkins, Stevens, Schorr and Heier voted aye. Workman abstained from voting. Motion carried.

2) **ADDITIONS AND DEDUCTIONS:**

Approval of one addition to the tax assessment rolls per Attachments "A".

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

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

**Capital Humane Society
Christ's Place
Cornhusker Council, Boy Scouts of America
Parkview Christian Schools**

MOTION: Schorr moved and Heier seconded approval of the motor vehicle tax exemption applications for Capital Humane Society, Christ's Place, Cornhusker Council, Boy Scouts of America and Parkview Christian Schools. Schorr, Hudkins, Heier, Stevens and Workman voted aye. Motion carried.

4) **ADJOURNMENT:**

MOTION: Schorr moved and Stevens seconded adjournment of the Board of Equalization meeting at 10:27 a.m.. Schorr, Stevens, Hudkins, Heier and Workman voted aye. Motion carried.

Dan Nolte
County Clerk