

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, MAY 6, 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, 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, April 29, 2008.**

MOTION: Stevens moved and Heier seconded approval of the minutes of the Board of Commissioners meeting held on April 29, 2008. Hudkins, Stevens, Schorr, Heier and Workman voted aye. Motion carried.

- 2) **CLAIMS: Approval of all claims processed through Tuesday, May 6, 2008.**

MOTION: Heier moved and Schorr seconded approval of all claims processed through May 6, 2008. Schorr, Hudkins, Heier, Stevens and Workman voted aye. Motion carried.

The Chair introduced Matthew Raven, County Board Administrative Assistant.

3) **OLD BUSINESS:**

A. An application for public transportation assistance for the Lancaster County Rural Transit.

Gwen Thorpe, Deputy Chief Administrative Officer, appeared to clarify questions asked by Commissioner Stevens at the April 29th County Board meeting. She stated she talked with Wayne McClaren, Lancaster County Rural Transit, who indicated the fuel is supplied through City Fleet Services and they determine what the average rate will be. She stated he did indicate that they receive a discount for the quantity they use and that he is comfortable with the cost of \$3.00 per gallon. Thorpe also referred to Line 19 and explained that the State will pay no more than \$15,555 which does not work out to the 50 percent requested in Line 18, however, it is correct. Lastly, Thorpe stated the increase in the cost of the fare, from \$1.50 to \$2.00, cannot be reflected in the application because of a specific procedure which must be followed. She added McClaren intends on starting that process so that the increase can be reflected in the next application.

MOTION: Schorr moved and Stevens seconded approval of an application for public transportation assistance for the Lancaster County Rural Transit. Heier, Schorr, Stevens, Hudkins and Workman voted aye. Motion carried.

B. An agreement with iXTEND Inc. for computer consulting services and the installation of an upgrade to the Enterprise One Financial Multi-Foundation environment software. The software will be upgraded to the 8.12 version. 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 will pay \$160 per hour, not exceed 240 hours of service. Total cost of the upgrade is estimated to be no more than \$38,400. (C-08-0129)

MOTION: Stevens moved and Heier seconded approval of an agreement with iXTEND Inc. for computer consulting services and the installation of an upgrade to the Enterprise One Financial Multi-Foundation environment software. Schorr, Stevens, Hudkins, Heier and Workman voted aye. Motion carried.

4) **NEW BUSINESS:**

- A. A resolution in the matter of transferring appropriations from the General Fund Miscellaneous Budget to the Community Corrections Budget within the General Fund. The amount to be transferred is \$261,300. (R-08-0030)**

Dennis Meyer, Budget and Fiscal Officer, stated the resolution will transfer appropriations from the General Fund Miscellaneous Budget to the Community Corrections Budget within the General Fund for the necessary expenditures.

MOTION: Heier moved and Hudkins seconded approval of Resolution No. R-08-0030 in the matter of transferring appropriations from the General Fund Miscellaneous Budget to the Community Corrections Budget within the General Fund. Stevens, Heier, Schorr, Hudkins and Workman voted aye. Motion carried.

- B. A resolution in the matter of adopting benefits for County employees in the Unclassified Service who are not covered by a labor agreement, excluding Deputy Sheriff Captains, effective the pay period beginning April 24, 2008. The resolution adds part-time bailiffs to the definition of 'employees' and provides certain benefits to part-time bailiffs. The resolution rescinds and replaces County Resolution No. R-07-0081. (R-08-0031)**

MOTION: Schorr moved and Heier seconded approval of Resolution No. R-08-0031 in the matter of adopting benefits for County employees in the Unclassified Service who are not covered by a labor agreement, excluding Deputy Sheriff Captains, effective the pay period beginning April 24, 2008.

In response to a question asked by Stevens regarding part-time bailiffs, Kristy Bauer, Deputy County Attorney, responded that part-time bailiffs are compensated for time actually worked.

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

4) **NEW BUSINESS CONTINUED:**

C. A grant contract between the City of Lincoln and Lancaster County on behalf of the Lancaster County Sheriff's Office. The Sheriff's Office will receive \$6,732 in grant funds for the purpose of funding the community-based sexual assault coordinated response team to improve system collaborations, along with training key responders to improve system data collection, and to improve investigations of sexual offenders by going over past cases. Term of the agreement is from August 1, 2007 to July 31, 2008. (C-08-0182)

MOTION: Stevens moved and Schorr seconded approval of a grant contract between the City of Lincoln and Lancaster County on behalf of the Lancaster County Sheriff's Office. The Sheriff's Office will receive \$6,732 in grant funds for the purpose of funding the community-based sexual assault coordinated response team to improve system collaborations, along with training key responders to improve system data collection, and to improve investigations of sexual offenders by going over past cases. Schorr, Hudkins, Stevens, Heier and Workman voted aye. Motion carried.

D. An interlocal agreement with Lancaster County School District No. 148, Malcolm Public School, to provide one Lancaster County Sheriff's Office School Resource Officer to serve the district while school is in session. Term of the agreement will begin the first semester of the 2008-2009 school year and end at the conclusion of the 2010-2011 school year. The school agrees to pay the County \$18,750 for the services. (C-08-0183)

MOTION: Hudkins moved and Stevens seconded approval of an interlocal agreement with Lancaster County School District No. 148, Malcolm Public School, to provide one Lancaster County Sheriff's Office School Resource Officer to serve the district while school is in session. Hudkins, Stevens, Schorr, Heier and Workman voted aye. Motion carried.

E. An interlocal agreement with Norris School District No. 160 to provide one Lancaster County Sheriff's Office School Resource Officer to serve the district while school is in session. Term of the agreement will begin the first semester of the 2008-2009 school year and end at the conclusion of the 2010-2011 school year. The school agrees to pay the County \$18,750 for the services. (C-08-0184)

4) **NEW BUSINESS CONTINUED:**

MOTION: Schorr moved and Stevens seconded approval of an interlocal agreement with Norris School District No. 160 to provide one Lancaster County Sheriff's Office School Resource Officer to serve the district while school is in session. Hudkins, Stevens, Schorr, Heier and Workman voted aye. Motion carried.

F. An interlocal agreement with the Village of Hallam for one Lancaster County Sheriff's Deputy to provide law enforcement services within the corporate limits of the Village of Hallam. Term of the agreement is May 1, 2008 through April 30, 2009. The County will be reimbursed at the overtime rate of pay for the Deputy assigned to duty. The County will be paid .505 cents per mile for the Sheriff's vehicle used in the provision of the services. (C-08-0185)

MOTION: Stevens moved and Hudkins seconded approval of an interlocal agreement with the Village of Hallam for one Lancaster County Sheriff's Deputy to provide law enforcement services within the corporate limits of the Village of Hallam. Schorr, Hudkins, Heier, Stevens and Workman voted aye. Motion carried.

G. An agreement between Lancaster County and MRP Properties Company, L.L.C. to allow MRP permission to perform the installation of a monitoring well for the purpose of sampling soil and ground water on County property found at 2966 "O" Street. Term of the agreement will be from the date of execution until the operations are completed to the satisfaction of the Nebraska Department of Environmental Quality. (C-08-0186)

MOTION: Stevens moved and Hudkins seconded approval of an agreement between Lancaster County and MRP Properties Company, L.L.C. to allow MRP permission to perform the installation of a monitoring well for the purpose of sampling soil and ground water on County property found at 2966 "O" Street. Heier, Schorr, Stevens, Hudkins and Workman voted aye. Motion carried.

H. An addendum to an agreement between Lancaster County and the Lincoln Chamber of Commerce, found at County Contract No. C-03-0329. The addendum renews the agreement an additional five years, beginning July 1, 2008 and ending June 30, 2013. (C-08-0187)

4) **NEW BUSINESS CONTINUED:**

MOTION: Stevens moved and Schorr seconded approval of an addendum to an agreement between Lancaster County and the Lincoln Chamber of Commerce, found at County Contract No. C-03-0329. Schorr, Stevens, Hudkins, Heier and Workman voted aye. Motion carried.

I. An agreement between Lancaster County and Lincoln Electric System, in the amount of \$147,549, to relocate utility facilities in conflict with Project No. C55-KP-412(1), South 98th Street (Old Cheney Road to Pioneers Boulevard). (C-08-0188)

MOTION: Schorr moved and Stevens seconded approval of an agreement between Lancaster County and Lincoln Electric System, in the amount of \$147,549, to relocate utility facilities in conflict with Project No. C55-KP-412(1), South 98th Street (Old Cheney Road to Pioneers Boulevard). Stevens, Heier, Schorr, Hudkins and Workman voted aye. Motion carried.

J. A contract between Lancaster County and Dobson Brothers Construction Company, in the amount of \$906,227.13, for the following: (C-08-0189)

Asphaltic Concrete Paving on:

- * **Saltillo Road from South 84th Street to South 98th Street; Project C55-P-401(1)**

Asphaltic Concrete Resurfacing on:

- * **North 70th Street from the Abbott Sports complex driveway to Interstate 80; Project C55-G-405(2)**
- * **Arbor Road from North 14th Street to North 27th Street; Project No. C55-F-420(1)**
- * **Firth Road from South 68th Street to the Firth Viaduct approach pavement; Project C55-X-402(4)**
- * **South 68th Street from Firth Road to Princeton Road; Project No. C55-X-405(1)**
- * **South 56th Street from Yankee Hill Road to Shady Hollow Road; Project No. C55-P-424(2)**

4) **NEW BUSINESS CONTINUED:**

MOTION: Hudkins and Stevens seconded approval of a contract between Lancaster County and Dobson Brothers Construction Company, in the amount of \$906,227.13. Heier, Schorr, Hudkins, Stevens and Workman voted aye. Motion carried.

K. A permanent and temporary easement between the Lancaster County Engineering Department and Nebraska Public Power District, for underground water discharge pipeline located at Southwest 100th Street and West Hallam Road. (C-08-0190)

MOTION: Stevens moved and Heier seconded approval of a permanent and temporary easement between the Lancaster County Engineering Department and Nebraska Public Power District, for underground water discharge pipeline located at Southwest 100th Street and West Hallam Road. Schorr, Hudkins, Stevens, Heier and Workman voted aye. Motion carried.

L. An interlocal agreement with Waverly School District No. 145 to provide one Lancaster County Sheriff's Office School Resource Officer to serve the district while school is in session. Term of the agreement will begin the first semester of the 2008-2009 school year and end at the conclusion of the 2010-2011 school year. The school agrees to pay the County \$18,750 for the services. (C-08-0194)

MOTION: Heier moved and Stevens seconded approval of an interlocal agreement with Waverly School District No. 145 to provide one Lancaster County Sheriff's Office School Resource Officer to serve the district while school is in session. Hudkins, Stevens, Schorr, Heier and Workman voted aye. Motion carried.

M. An interlocal agreement with Raymond Central School District No. 161 to provide one Lancaster County Sheriff's Office School Resource Officer to serve the district while school is in session. Term of the agreement will begin the first semester of the 2008-2009 school year and end at the conclusion of the 2010-2011 school year. The school agrees to pay the County \$18,750 for the services. (C-08-0195)

4) **NEW BUSINESS CONTINUED:**

MOTION: Hudkins moved and Heier seconded approval of an interlocal agreement with Raymond Central School District No. 161 to provide one Lancaster County Sheriff's Office School Resource Officer to serve the district while school is in session. Hudkins, Stevens, Schorr, Heier and Workman voted aye. Motion carried.

N. An agreement between Lancaster County and Ace Plumbing, Heating & Air Conditioning, Inc. for a new McQuay AGZ160C air cooled chiller system for Lancaster Manor and installation of such system. The contractor will be compensated \$85,577 for the services and equipment. The contractor will be compensated an additional \$2,750 if the contractor provides a stock chiller within two weeks of the execution of the contract. All work included in the contract will be completed by June 30, 2008. (C-08-0196)

MOTION: Hudkins moved and Heier seconded approval of an agreement between Lancaster County and Ace Plumbing, Heating & Air Conditioning, Inc. for a new McQuay AGZ160C air cooled chiller system for Lancaster Manor and installation of such system. Schorr, Hudkins, Heier, Stevens and Workman voted aye. Motion carried.

O. An agreement between Lancaster County and Windstream Communications for a telephone system for Lancaster Manor, in the amount of \$40,920. All work included in the contract will be substantially completed by June 1, 2008. (C-08-0197)

MOTION: Heier moved and Stevens seconded approval of an agreement between Lancaster County and Windstream Communications for a telephone system for Lancaster Manor, in the amount of \$40,920. Heier, Schorr, Stevens, Hudkins and Workman voted aye. Motion carried.

P. An interlocal agreement with the City of Lincoln to allow the City to temporarily detain juveniles that are taken into custody by the Lincoln Police Department pursuant to Neb. Rev. Stat. §43-248 at the Youth Assessment Center. Term of the agreement is from May 1, 2008 to September 30, 2008. (C-08-198)

4) **NEW BUSINESS CONTINUED:**

MOTION: Heier moved and Hudkins seconded approval of an interlocal agreement with the City of Lincoln to allow the City to temporarily detain juveniles that are taken into custody by the Lincoln Police Department pursuant to Neb. Rev. Stat. §43-248 at the Youth Assessment Center. Schorr, Stevens, Hudkins, Heier and Workman voted aye. Motion carried.

Q. Recommendation from the Purchasing Agent and Lancaster Manor to award a bid for laundry chemicals to Tri-Supply, in the amount of \$12,276.50. (B-08-0024)

MOTION: Hudkins moved and Stevens seconded approval to award a bid for laundry chemicals to Tri-Supply, in the amount of \$12,276.50, as recommended by the Purchasing Agent and Lancaster Manor. Stevens, Heier, Schorr, Hudkins and Workman voted aye. Motion carried.

R. Recommendation from the Purchasing Agent and the Lancaster County Engineering Department to issue an order from State of Nebraska Contract No. 12061 OC to Anderson Ford, for three Ford one-half ton, two-wheel drive pickups, in the total amount of \$40,980. (B-08-0025)

MOTION: Heier moved and Stevens seconded approval to issue an order from State of Nebraska Contract No. 12061 OC to Anderson Ford, for three Ford one-half ton, two-wheel drive pickups, in the total amount of \$40,980, as recommended by the Purchasing Agent and the Lancaster County Engineering Department. Heier, Schorr, Hudkins, Stevens and Workman voted aye. Motion carried.

S. Recommendation from the Purchasing Agent and the Lancaster County Engineering Department to award a bid to Murphy Tractor & Equipment Co. Inc. for one John Deere four-wheel drive, articulated frame, front end loader, in the amount of \$127,500. (B-08-0026)

4) **NEW BUSINESS CONTINUED:**

MOTION: Heier moved and Hudkins seconded approval to award a bid to Murphy Tractor & Equipment Co. Inc. for one John Deere four-wheel drive, articulated frame, front end loader, in the amount of \$127,500, as recommended by the Purchasing Agent and the Lancaster County Engineering Department. Schorr, Hudkins, Stevens, Heier and Workman voted aye. Motion carried.

T. A request from Associated Tax Appraisers, on behalf of Meadow Gold Dairies, for a refund of 2007 personal property taxes, in the approximate amount of \$911.

Scott Gaines, Deputy County Assessor/Register of Deeds, recommended approval of the request and explained that the company inadvertently listed three items on their personal property return which they disposed of in 2006. He stated the Assessor/Register of Deeds office added the items back on instead of deleting them. Gaines also noted that one-half of the taxes for 2007 have been paid, making the request a credit instead of a refund.

MOTION: Schorr moved and Hudkins seconded to accept the recommendation of the County Assessor/Register of Deeds and approve a refund in the form of a credit for 2007 personal property taxes for Meadow Gold Dairies. Hudkins, Stevens, Schorr, 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. Receive and Place on File:

1. **County Clerk's Monthly Report for April, 2008.**
2. **Letter of agreement between Lancaster County and Nationwide Retirement Solutions extending the termination of all existing contracts relating to the Lancaster County, Nebraska Employees Retirement Plan and 457 Deferred Compensation Plan from October 15, 2008 to December 31, 2008.**

5) **CONSENT ITEMS CONTINUED:**

- B. Request from James Russell Culp, an employee with Lancaster Manor, to voluntarily participate in the Lancaster County Retirement Plan having met the requirements.**
- C. A leasehold contract relating to a road project between the Lancaster County Engineering Department and Frank and Karen Mitchell, in the amount of \$10, on South 82nd Street from Roca Road to Hickman Road; Project No. C55-S-404(3). (C-08-0191)**
- D. Right-of-way contracts relating to road improvements between the Lancaster County Engineering Department and Frank and Karen Mitchell, in the total amount of \$147, on South 82nd Street from Roca Road to Hickman Road; Project No. C55-S-404(3). (2 contracts) (C-08-0192) (C-08-0193)**

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

6) **OTHER BUSINESS:**

Kyle Fischer, Public Policy Specialist with the Lincoln Chamber of Commerce, disseminated a resolution approved by the Chamber supporting the approval of the use of bonds for up to 26 years for a new jail (Exhibit 1). The resolution, he stated, also urges the citizens of Lincoln to approve the use of bonds.

Schorr stated she appreciates the support of the Chamber and noted the County Board has also received support from the Lincoln Independent Business Association (LIBA). She added the Board of Realtors is also considering support of the bond issuance and that she and Commissioner Heier will be speaking to the Home Builders Association later in the week.

Heier thanked the Chamber for allowing him and Dennis Meyer, Budget & Fiscal Officer, the opportunity to speak to the Board of Directors and for the resolution in support of the funding.

Hudkins expressed his appreciation as well.

7) **ADJOURNMENT:**

MOTION: Stevens moved and Schorr seconded adjournment of the Board of Commissioners meeting at 10:05 a.m.. Heier, Schorr, Stevens, Hudkins and Workman voted aye. Motion carried.

Dan Nolte
County Clerk

**MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, MAY 6, 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, 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 10:05 a.m..

1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, April 29, 2008.**

MOTION: Stevens moved and Schorr seconded approval of the minutes of the Board of Equalization meeting held on April 29, 2008. Hudkins, Stevens, Schorr, Heier and Workman voted aye. Motion carried.

2) **ADDITIONS AND DEDUCTIONS:**

Approval of 9 additions and deductions to the tax assessment rolls per Attachments "A" and "B".

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

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

Calvary United Methodist Church

MOTION: Heier moved and Hudkins seconded approval of a motor vehicle tax exemption for Calvary United Methodist Church. Heier, Schorr, Stevens, Hudkins and Workman voted aye. Motion carried.

4) **ADJOURNMENT:**

MOTION: Schorr moved and Stevens seconded adjournment of the Board of Equalization meeting at 10:07 a.m.. Schorr, Stevens, Hudkins, Heier and Workman voted aye. Motion carried.

Dan Nolte
County Clerk