

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, MAY 20, 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, May 13, 2008.**

MOTION: Hudkins moved and Stevens seconded approval of the minutes of the Board of Commissioners meeting held on May 13, 2008. Hudkins, Stevens, Schorr, Heier and Workman voted aye. Motion carried.

- 2) **CLAIMS: Approval of all claims processed through Tuesday, May 20, 2008.**

MOTION: Heier moved and Schorr seconded approval of all claims processed through May 20, 2008. Schorr, Hudkins, Heier, Stevens and Workman voted aye. Motion carried.

3) **SPECIAL PRESENTATIONS:**

A. Recognition of County Employees' Service Anniversaries.

The County Board recognized employees who have served Lancaster County for 10, 15, 20, 25, 30, 35, 40 and 45 years.

4) **PUBLIC HEARINGS:**

A. Continuation of a public hearing regarding a request from James Arthur Vineyards for an addition to licensed premises located at 2001 West Raymond Road, Raymond, Lancaster County, Nebraska.

The 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. Applications for Special Designated Licenses from Ken's Liquor Inc. to provide liquor beverage service at the following events to be held at Country Pines located at 6305 West Adams Street:

- * **The Brison/Jarzynka wedding reception on Friday, June 13, 2008 from 4 p.m. to 1 a.m.**
- * **The Arre/Herbosheimer wedding reception on Saturday, July 5, 2008 from 4 p.m. to 1 a.m.**

MOTION: Stevens moved and Heier seconded approval of two applications for Special Designated Licenses from Ken's Liquor Inc. to provide liquor beverage service at the following events to be held at Country Pines located at 6305 West Adams Street: The Brison/Jarzynka wedding reception on Friday, June 13, 2008 from 4 p.m. to 1 a.m. and the Arre/Herbosheimer wedding reception on Saturday, July 5, 2008 from 4 p.m. to 1 a.m.. Stevens, Heier, Schorr, Hudkins and Workman voted aye. Motion carried.

5) **NEW BUSINESS CONTINUED:**

B. A resolution in the matter of an application for an addition to licensed premises at James Arthur Vineyards, located at 2001 West Raymond Road, Raymond, Lancaster County, Nebraska. (R-08-0032)

MOTION: Heier moved and Stevens seconded approval of Resolution No. 08-0032 in the matter of an application for an addition to licensed premises at James Arthur Vineyards, located at 2001 West Raymond Road, Raymond, Lancaster County, Nebraska. Heier, Schorr, Hudkins, Stevens and Workman voted aye. Motion carried.

C. An agreement with Legal Aid of Nebraska for the representation of indigent parents and juveniles in the Separate Juvenile Court of Lancaster County. Term of the agreement is from July 1, 2008 through June 30, 2011. The County will pay Legal Aid \$22,618.80 on a monthly basis. The total amount of the contract is \$814,276.80. (C-08-0219)

MOTION: Hudkins moved and Stevens seconded approval of an agreement with Legal Aid of Nebraska for the representation of indigent parents and juveniles in the Separate Juvenile Court of Lancaster County.

Heier stated it is required by law that all parties in the Juvenile Court system, particularly in termination of parental rights cases and abuse and neglect cases, have legal representation.

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

D. A contract between Lancaster County and Bryant Crosby to perform polygraph examinations for the Lancaster County S.T.O.P. Program at the Lancaster County Mental Health Center. The services are provided as part of the Sex Offender Management Grant. (C-08-0220)

Tom Fox, Deputy County Attorney, requested the item be held for one week.

By direction of the Chair, the item was held.

5) **NEW BUSINESS CONTINUED:**

E. A Medicare enrollment application reassignment of Medicare benefits regarding Wendy Andorf-Blum for the Lancaster County Community Mental Health Center. (C-08-0221)

MOTION: Hudkins moved and Stevens seconded approval of a Medicare enrollment application reassignment of Medicare benefits regarding Wendy Andorf-Blum for the Lancaster County Community Mental Health Center. Hudkins, Stevens, Schorr, Heier and Workman voted aye. Motion carried.

F. Addendum No. 2 to the monitoring service agreement with Behavioral Interventions (BI) Inc., under County Contract No. C-04-0500, for monitoring services for Lancaster County Community Corrections' operation of electronic field monitoring devices. The addendum decreases the rental cost for BI cellular monitoring devices from \$4.50 per unit, per day for each cellular unit provided, to \$3.50 per unit, per day for each cellular unit provided. (C-08-0222)

MOTION: Heier moved and Stevens seconded approval of Addendum No. 2 to the monitoring service agreement with Behavioral Interventions (BI) Inc., under County Contract No. C-04-0500, for monitoring services for Lancaster County Community Corrections' operation of electronic field monitoring devices. Schorr, Hudkins, Heier, Stevens and Workman voted aye. Motion carried.

G. A Medicare System Access Agreement between Lancaster County and Wisconsin Physicians Service (WPS) to allow Lancaster Manor and its Medicare billing contractor, Medi-Bill Systems, authorization to access selected computer systems for the purpose of filing Medicare claims and making Medicare claims inquiries. (C-08-0223)

Fox stated the agreement contains provisions which the County Attorney's office advises against. Those provisions, he said, pertain to disclaimers of warranties, limitation of damages and omission of a fee schedule. Fox said he did call WPS and they informed him that the rate to use their system is \$4.50 per hour, however, that rate is not published anywhere or included in the agreement. He noted the agreement only indicates the fees will be charged as billed by WPS. Fox then referred to a third party agreement included in the WPS agreement which makes Medi-Bill Systems a third party. He explained that Medi-Bill Systems, as the third party, would pay any charges incurred through access of the WPS system, however, inclusion of such language is not contained in the agreement with Medi-Bill previously approved on April 29, 2008 (County Contract C-08-0181).

5) **NEW BUSINESS CONTINUED:**

When asked by Hudkins if omission of a fee schedule is standard protocol for such agreements, Ron Feters, Lancaster Manor Administrator, stated he had never seen fee schedules included in these types of documents.

In response to a question asked by Heier regarding the termination clause, Fox stated the termination is 30 days following notice from one of the parties.

Schorr asked Feters if someone would be reviewing the fees.

Feters responded yes.

Fox stated it may be possible to add an addendum to the contract with Medi-Bill Systems specifically stating they will pay the hourly fees.

MOTION: Hudkins moved and Heier seconded approval of the Medicare System Access Agreement between Lancaster County and Wisconsin Physicians Service (WPS) subject to an addendum with Medi-Bill Systems.

Following discussion regarding an addendum to the Medi-Bill Systems agreement, Hudkins withdrew his previous motion and requested the Medicare System Access Agreement be placed on the Staff Meeting agenda for Thursday, May 22, 2008 to allow the County Attorney's Office time to seek an addendum from Medi-Bill Systems. The seconder concurred.

H. An electronic funds transfer (EFT) agreement authorizing Medi-Bill Systems to initiate Medicare credit entries and adjustments for any credit entries made in error to the County's account. (C-08-0224)

MOTION: Schorr moved and Hudkins seconded approval of an electronic funds transfer (EFT) agreement authorizing Medi-Bill Systems to initiate Medicare credit entries and adjustments for any credit entries made in error to the County's account. Schorr, Stevens, Hudkins, Heier and Workman voted aye. Motion carried.

5) **NEW BUSINESS CONTINUED:**

- I. Recommendation from the Purchasing Agent and committee members to award a request for proposal to Aramark Uniform Services, in the amount of \$35,000, for rental and cleaning of mats and linens. (B-08-0028)**

MOTION: Schorr moved and Stevens seconded to accept the recommendation of the Purchasing Agent and committee members to award a request for proposal to Aramark Uniform Services, in the amount of \$35,000, for rental and cleaning of mats and linens. Stevens, Heier, Schorr, Hudkins and Workman voted aye. Motion carried.

- J. A political subdivision tort claim filed against the Lancaster County Corrections Department by Atanacio Moreira, in the amount of \$50, for lost and damaged property.**

MOTION: Heier moved and Stevens seconded to accept the recommendation of the Corrections Director and approve a political subdivision tort claim filed against the Lancaster County Corrections Department by Atanacio Moreira, for lost and damaged property, in the amount of \$31. Heier, Schorr, Hudkins, Stevens and Workman 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:*

- A. Setting of a public hearing for Tuesday, June 3, 2008 at 9:30 a.m. in the County Commissioners Hearing Room, Room 112, on the first floor of the County-City Building regarding County Special Permit No. 08021, requested by Nebraska Prairie, L.L.C., for authority to enhance the preservation of a historic property (the Leavitt House) by recognizing its historic architectural significance and to allow a bed and breakfast facility and accessory and additional uses in the barn on property generally located at 2400 South 148th Street near Van Dorn Street in Lancaster County, Nebraska.**

6) **CONSENT ITEMS CONTINUED:**

B. Setting of a public hearing for Tuesday, June 17, 2008 at 9:30 a.m. in the County Commissioners Hearing Room, Room 112, on the first floor of the County-City Building regarding a Corporate Manager application for Jeffery Parker in connection with a new application for a Class I (Spirits, Wine, Beer, On Sale Only) liquor license for Parker's Smokehouse on the Lake L.L.C. d/b/a Parker's Smokehouse on the Lake, located at 10001 West Davey Road, Raymond, Lancaster County, Nebraska.

C. Request from Christopher Bernard Garner, an employee with the Youth Services Center, to voluntarily participate in the Lancaster County Retirement Plan, having met the requirements.

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

7) **ADJOURNMENT:**

MOTION: Stevens moved and Schorr seconded adjournment of the Board of Commissioners meeting at 10:20 a.m.. Hudkins, Stevens, Schorr, Heier and Workman voted aye. Motion carried.

Dan Nolte
County Clerk

**MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, MAY 20, 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
Norm Agena, County Assessor/Register of Deeds

The location announcement of the Nebraska Open Meetings Act was given and the meeting was called to order at 10:20 a.m..

1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, May 13, 2008.**

MOTION: Heier moved and Stevens seconded approval of the minutes of the Board of Equalization meeting held on May 13, 2008. Hudkins, Stevens, Schorr, Heier and Workman voted aye. Motion carried.

2) **ADDITIONS AND DEDUCTIONS:**

Approval of 52 additions and deductions to the tax assessment rolls per Attachments "A" and "B".

MOTION: Schorr moved and Stevens 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:**

**Cathedral of the Risen Christ
Lincoln Medical Education Partnership
St. Peter's Catholic Church of Lincoln (2 exemption applications)
St. Teresa Church (2 exemption applications)
Sheridan Lutheran Church**

MOTION: Heier moved and Schorr seconded approval of motor vehicle exemption applications for Cathedral of the Risen Christ, Lincoln Medical Education Partnership, St. Peter's Catholic Church of Lincoln (2 applications), Sheridan Lutheran Church and St. Teresa Church (2 applications) subject to the County Treasurer signing the application for the 2003 International school bus. 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 10:22 a.m.. Schorr, Stevens, Hudkins, Heier and Workman voted aye. Motion carried.

Dan Nolte
County Clerk