

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, JUNE 16, 2009
COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
9:30 A.M.

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

Commissioners Absent: Bob Workman
Larry Hudkins

Others present: Kerry Eagan, Chief Administrative Officer
Gwen Thorpe, Deputy Chief Administrative Officer and
Interim Lancaster Manor Administrator
Tom Fox, 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 9:32 a.m.

- 1) **MINUTES: Approval of the Minutes of the Board of Commissioners meeting held on Tuesday, June 9, 2009.**

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

- 2) **CLAIMS: Approval of all claims processed through Tuesday, June 16, 2009.**

MOTION: Stevens moved and Schorr seconded approval of all claims. Schorr, Stevens and Heier voted aye. Motion carried.

- 3) **SPECIAL PRESENTATION:**

- A. **Presentation of the Commissioner's Award of Excellence for April 2009 to Ivana Jelavic and for May 2009 to Nicholas Vint.**

Dean Settle, Executive Director of Community Mental Health; Travis Parker, Deputy Director; Scott Etherton, Crisis Center Program Manager; and Nick Vint, Crisis Center Team Supervisor, appeared for the presentation. Ivana Jelavic, Crisis Center Mental Health Tech, was not present.

3) **SPECIAL PRESENTATION CONTINUED:**

Parker addressed the sensitivity and caring needed at the crisis center and explained how Vint had exemplified these characteristics.

Vint thanked everyone, including Parker for the nomination.

Etherton praised Vint for the work he has done.

Schorr expressed her appreciation for Vint's work at the Crisis Center.

MOTION: Stevens moved to recognize Vint as the Commissioners Award of Excellence winner for May 2009 and presented a plaque. Schorr seconded the motion with the addition to recognize Ivana Jelavic as the April 2009 winner.

Etherton spoke about Ivana's contribution to the Crisis Center, explaining she had prevented a possible assault to a co-worker.

The Clerk read the nomination of Ivana Jelavic for the record.

Settle said the Crisis Center just celebrated its 20th anniversary, estimating approximately 9000 clients have gone through the center.

Stevens presented Jelavic's plaque to Etherton.

The Clerk read the nomination of Nick Vint for the record.

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

4) **NEW BUSINESS:**

- A. **A request from Firespring, formerly known as Digital IMS, Inc., for a refund of 2006 and 2007 personal property taxes in the amount of \$3,747.**

Scott Gaines, Deputy County Assessor/Register of Deeds, explained the refund was for computer equipment that was double reported by the lessor and the lessee. He added the refund also includes 2008.

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

- B. **A resolution in the matter of transferring appropriations from the General Fund Miscellaneous Budget to various General Fund agencies. The amount to be transferred is \$753,131. (R-09-0033)**

4) **NEW BUSINESS CONTINUED:**

Dennis Meyer, County Budget Director, explained that the resolution serves as an "annual clean-up bill". The money would be transferred from the General Fund, mostly for salary increases, an accounting system upgrade and legal costs.

Schorr asked about the previous year's amount. Meyer said this year is around \$100,000 more, which is approximately the cost of the accounting system upgrade.

Schorr questioned the larger amount for the County Sheriff. Meyer said it is mostly due to salaries and retirement payouts.

Meyer explained how the County sets up a contingency fund of around \$2,000,000 each year for unexpected costs. This money does not increase the overall budget but simply moves the money from one spot to another.

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

- C. **A resolution in the matter of County Special Permit No 09011, requested by Gipson Properties, LLC, for authority to allow a garden center on approximately 20 acres of a 78.70 acre parcel of land generally located at South 148th Street and Pine Lake Road, Lancaster County, Nebraska. (R-09-0029)**

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

- D. **An agreement with Trinity Chiropractic to provide specialized medical care and assistance to Lancaster County General Assistance clients who have pending claims with the Social Security Administration and may be eligible for retroactive Medicaid benefits. The agreement sets forth a reimbursement arrangement in which the County will provide payment for the medical care and Trinity Chiropractic will reimburse the County if/when the General Assistance client is later determined eligible for Medicaid reimbursement. The agreement is effective upon execution of both parties and contains a 30-day termination provision. (C-09-0278)**

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

4) **NEW BUSINESS CONTINUED:**

- E. **A grant contract with Center for Legal Immigration Assistance to provide funding to enhance Lancaster County's coordinated community response to Latina, African American and refugee women who have been experiencing domestic violence, dating violence, sexual assault or stalking, and provide assistance to such victims in immigration matters in the amount of \$53,591. Term of the grant contract is January 31, 2009, to December 31, 2010. (C-09-0279)**

Schorr clarified this comes from federal grant funds, rather than County tax dollars.

MOTION: Schorr moved and Stevens seconded approval of the grant contract.

Stevens noted the certificate of liability insurance attached to the contract is for a different entity than the contract.

Tom Fox, Deputy County Attorney, asked that the item be held to correct the insurance certificate.

Schorr withdrew the motion.

- F. **A grant contract between Lancaster County and Cedars Youth Service, Inc., to implement the use of the Diagnostic Predictive Scales software as an assessment tool for youth in the Juvenile Pre-Trial Diversion Program. The County will provide equipment, training, and the Diagnostic Predictive Scales software as described in Attachment C of the contract. The term of the contract is from June 1, 2009, to May 31, 2010. (C-09-0280)**

MOTION: Stevens moved and Schorr seconded approval of the grant contract.

Heier asked if items pertaining to the software remain the property of the county. Tom Fox said the County maintains ownership of the equipment until services are completed at which time Cedars and The HUB take over ownership.

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

- G. **A grant contract between Lancaster County and HUB, Inc., to implement the use of the Diagnostic Predictive Scales software as an assessment tool for youth referred by Juvenile Probation. The County will provide equipment, training, and the Diagnostic Predictive Scales software as described in Attachment C of the contract. The term of the contract is from June 1, 2009, to May 31, 2010. (C-09-0281)**

MOTION: Stevens moved and Schorr seconded approval of the grant contract. Schorr, Stevens and Heier voted aye. Motion carried.

4) **NEW BUSINESS CONTINUED:**

- H. **A contract between Lancaster County and the Trustees of Columbia University in the City of New York for the purchase of Diagnostic Predictive Scales software and training. The cost of the County is \$5,002. This amount is to be paid with funds received from the County Aid Enhancement Grant from the Nebraska Commission on Law Enforcement and Criminal Justice. A software license for the Diagnostic Predictive Scales will be provided to the County for use at the Lancaster County Youth Assessment Center. Software licenses will also be provided to Cedars Youth Services and the HUB, Inc. as part of a grant contract between the County, Cedars and the HUB, Inc. (C-09-0292)**

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

- I. **A grant application package for the Energy Efficiency and Conservation Block Grant program in the amount of \$110,300 for the New Lancaster County Adult Correctional Facility. Attached to the grant application are certifications regarding lobbying; debarment, suspension and other responsibility matters; drug free work place requirements; and an assurance compliance of nondiscrimination in federally assisted programs.**

MOTION: Schorr moved and Stevens seconded approval of the grant application. Schorr, Stevens and Heier voted aye. Motion carried.

- J. **A contract between Kerford Limestone Co. and Lancaster County for the annual supply of production of limestone rock, gravel surface coarse material, and ice control material on an as-needed basis for the County Engineer. Term of the contract is from July 2, 2009, to July 1, 2010. The County will pay for products according to the pricing as listed in the contractor's proposal. (C-09-0282)**

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

- K. **An interlocal agreement with the State of Nebraska Office of Probation Administration for electronic monitoring services as part of the operation of the Lancaster County Juvenile Drug Court. Term of the agreement is July 1, 2009, through June 30, 2010, and the County shall pay \$8,000 for the services. (C-09-0283)**

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

4) **NEW BUSINESS CONTINUED:**

- L. **A renewal of a contract between Lancaster County and Encompass Group L.L.C. for annual supply of linens for Lancaster Manor on an as-needed basis. The contract will be renewed for an additional one year term beginning July 10, 2009, and ending July 9, 2010. (C-09-0284)**

MOTION: Schorr moved and Stevens seconded approval of the contract renewal. Schorr, Stevens and Heier voted aye. Motion carried.

- M. **A renewal of a unit price construction contract with Benes Heating and Air Conditioning for miscellaneous mechanical (HVAC) services (under \$25,000) found at County Contract Number C-08-0464. The contract shall be renewed for an additional term beginning July 1, 2009, and ending June 30, 2010. (C-09-0285)**

MOTION: Stevens moved and Schorr seconded approval of the contract renewal. Stevens, Schorr and Heier voted aye. Motion carried.

- N. **A renewal of a unit price construction contract with Capitol Heating and Air Conditioning for miscellaneous mechanical (HVAC) services (under \$25,000) found at County Contract Number C-08-0462. The contract shall be renewed for an additional term beginning July 1, 2009, and ending June 30, 2010. (C-09-0286)**

MOTION: Schorr moved and Stevens seconded approval of the contract renewal. Stevens, Schorr and Heier voted aye. Motion carried.

- O. **A renewal of a unit price construction contract with Johnson Controls, Inc., for miscellaneous mechanical (HVAC) services (under \$25,000) found at County Contract Number C-08-0482. The contract shall be renewed for an additional term beginning July 1, 2009, and ending June 30, 2010. (C-09-0287)**

MOTION: Stevens moved and Schorr seconded approval of the contract renewal. Schorr, Stevens and Heier voted aye. Motion carried.

- P. **A renewal of a unit price construction contract with John Henry's Plumbing, Heating and Air Conditioning for miscellaneous mechanical (HVAC) services (under \$25,000) found at County Contract Number C-08-0463. The contract shall be renewed for an additional term beginning July 1, 2009, and ending June 30, 2010. (C-09-0288)**

MOTION: Stevens moved and Schorr seconded approval of the contract renewal. Schorr, Stevens and Heier voted aye. Motion carried.

4) **NEW BUSINESS CONTINUED:**

- Q. **A renewal of a unit price construction contract with American Fence of Lincoln for fencing services under \$25,000 found at County Contract Number C-08-0433. The contract shall be renewed for an additional term beginning August 1, 2009, and ending July 31, 2010. (C-09-0289)**

MOTION: Schorr moved and Stevens seconded approval of the contract renewal. Schorr, Stevens and Heier voted aye. Motion carried.

- R. **An amendment to a contract between Serve Nebraska, Redstone Communications and Lancaster County on behalf of Lancaster County Emergency Management, found at County Contract Number C-09-0173, to develop a public service announcement which promotes the Nebraska State Citizens Corps Program, Local Citizens Corps Councils and personal responsibility for emergency preparedness. The amendment extends the ending date of the contract to July 31, 2009, and reduces the cost paid by Lancaster County from \$20,000 to up to \$16,000 from the Federal Department of Homeland Security funds. (C-09-0290)**

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

- S. **A memorandum of understanding with Voices of Hope, St. Monica's, Centerpointe and Friendship Home of Lincoln regarding the Open Door Initiative. The Lancaster County Community Mental Health Center is a partnering program in Open Door Initiative. As a part of the Initiative, the Lancaster Community Mental Health Center will provide mental health and rehabilitation services to victims of intimate partner violence. The County will receive \$1,000 per month for its participation in the Open Door Initiative Project for the first twelve months of the memorandum of understanding. Term of the memorandum of understanding is for three years from the date of execution or until the ending date of the 2008 FY Disabilities Grant, whichever is sooner. (C-09-0291)**

MOTION: Stevens moved and Schorr seconded approval of the memorandum of understanding.

Schorr asked for a briefing on the project.

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

4) **NEW BUSINESS CONTINUED:**

- T. **A political subdivision tort claim filed against Lancaster County Corrections by Rodney Spangler for failure to deliver items that were allegedly purchased from Butler County jail commissary in the amount of \$8.25.**

MOTION: Schorr moved and Stevens seconded to deny the claim based upon the recommendation of the department director. Schorr, Stevens and Heier voted aye. Motion carried.

- U. **A political subdivision tort claim filed against Lancaster County Corrections by Darwin Shum for lost property in the amount of \$12.00.**

MOTION: Schorr moved and Stevens seconded to approve the claim based upon the recommendation of the department director but in the amount of \$10.

AMENDMENT: Stevens moved to amend the motion to make it \$12 instead of \$10. Schorr seconded the motion.

Stevens felt the full amount was appropriate.

ROLL CALL ON THE AMENDMENT: Stevens and Schorr voted aye. Heier voted no. Motion carried.

ROLL CALL ON THE MOTION: Stevens and Schorr voted aye. Heier voted no. 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 the following:**

1. **County Records & Information Management monthly report for May, 2009**
2. **Assessor/Register of Deeds monthly report for May, 2009**
3. **County Sheriff monthly report for May, 2009**

- B. **Setting of a public hearing for Tuesday, June 30, 2009, at 9:30 a.m., in the County Commissioners Hearing Room, Room 112, on the first floor of the County-City Building, regarding issuance of a Class I liquor license for Kerry's Hog Wild Barbecue, located at 10005 West Davey Road, Raymond, Lancaster County, Nebraska.**

5) **CONSENT ITEMS CONTINUED:**

MOTION: Stevens moved and Schorr seconded approval of the consent items. Stevens, Schorr and Heier voted aye. Motion carried.

6) **PENDING:**

- A. **A resolution in the matter of County Change of Zone No. 08050, requested by Michael and Judith Rosecrans, to change the zoning on 8.84 acres, more or less, from AG Agricultural to B Business on property generally located one-half mile south of the corner of Hickman Road and Homestead Expressway/Highway 77 in Lancaster County, Nebraska. (R-08-0093) (Item placed on pending on November 4, 2008.)**


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

8) **ANNOUNCEMENTS:**

- A. **The Lancaster County Board of Commissioners will hold a Staff Meeting on Thursday, June 18, 2009, beginning 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 a public hearing on Tuesday, June 23, 2009, at 9:30 a.m. in Room 112 on the first floor of the County-City Building, to hear public comment regarding the Lancaster Manor Request for Qualifications Report. The report is available on-line at www.lancaster.ne.gov and at the County Clerk's Office.**
- C. **The Lancaster County Board of Commissioners meeting is broadcast live at 9:30 a.m. on Tuesdays and rebroadcast at 1:30 p.m. and 6:30 p.m., as well as on Saturday afternoon on 5 City-TV, Cable Channel 5. In addition, this meeting may be viewed on Nebraska On Demand Time Warner Channel 101 and is available on the Internet 24 hours a day at www.lancaster.ne.gov. Click on 5 City-TV Video On Demand.**

9) **ADJOURNMENT:**

MOTION: Stevens moved and Schorr seconded to adjourn the Board of Commissioners meeting at 10:09 a.m. Schorr, Stevens and Heier voted aye. Motion carried.



Dan Nolte
Lancaster County Clerk

MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, JUNE 16, 2009
COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
IMMEDIATELY FOLLOWING THE REGULAR BOARD OF COMMISSIONERS MEETING

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

Commissioners Absent: Bob Workman
Larry Hudkins

Others Present: Scott Gaines, Deputy County Assessor/Register of Deeds
Kerry Eagan, Chief Administrative Officer
Gwen Thorpe, Deputy Chief Administrative Officer and
Interim Lancaster Manor Administrator
Tom Fox, Deputy County Attorney
Dan Nolte, 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 10:09 a.m.

- 1) **MINUTES:** Approval of the Minutes of the Board of Equalization meeting held on Tuesday, June 9, 2009. (A copy of the minutes is on file in the office of the Lancaster County Clerk or can be accessed at <http://www.lancaster.ne.gov>).

MOTION: Stevens moved and Schorr seconded to approve the minutes. Stevens, Schorr and Heier voted aye. Motion carried.

- 2) **ADDITIONS AND DEDUCTIONS:** Approval of 18 additions and deductions to the tax assessment rolls per Attachments "A" and "B".

MOTION: Schorr moved and Stevens seconded to approve the additions and deductions. Schorr, Stevens and Heier voted aye. Motion carried.


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

Mt. Zion Baptist Church
Glad Tidings Assembly of God

MOTION: Schorr moved and Stevens seconded to approve the motor vehicle tax exemptions. Schorr, Stevens, Schorr and Heier voted aye. Motion carried.

4) **ADJOURNMENT:**

MOTION: Schorr moved and Stevens seconded to adjourn the Board of Equalization meeting at 10:11 a.m. Schorr, Stevens and Heier voted aye. Motion carried.



Dan Nolte
Lancaster County Clerk